



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

REGULAR ADJOURNED MEETING  
Monday, October 24, 2016  
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 September 12, 2016 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 cards are available at the entrance to the Council Chambers.

**6. AGENDA ITEMS**

- a. PUBLIC HEARING - CASE NUMBER 2015-25
  - Project Address: 4910 Holt Boulevard
  - Project Applicant: Maronix, Inc.
  - Project Planner: Silvia Gutiérrez , Associate Planner
  - Request: Conditional Use Permit to allow the re-establishment and construction of a gas station, convenience store and attached car wash tunnel and a Precise Plan of Design for the site design
  - CEQA Assessment: Categorically Exempt (Section 15332)
  
- b. PUBLIC HEARING - CASE NUMBER 2016-20
  - Project Address: NEC of Ramona Avenue and Dale Street
  - Project Applicant: Successor Agency to the City of Montclair Redevelopment Agency
  - Project Planner: Michael Diaz, City Planner
  - Request: Precise Plan of Design for a proposed industrial/warehouse building and site improvements and a Variance to reduce the side setback
  - CEQA Assessment: Categorically Exempt (Section 15332 and 15305(a))

**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.

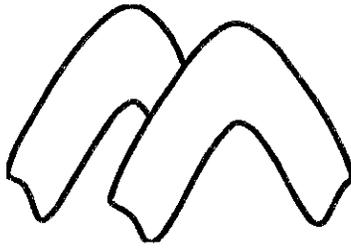
**9. ADJOURNMENT**

The City of Montclair Planning Commission is hereby adjourned to the regularly scheduled meeting of November 14, 2016 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 and the bulletin board adjacent to the south door of Montclair City Hall on October 20, 2016.



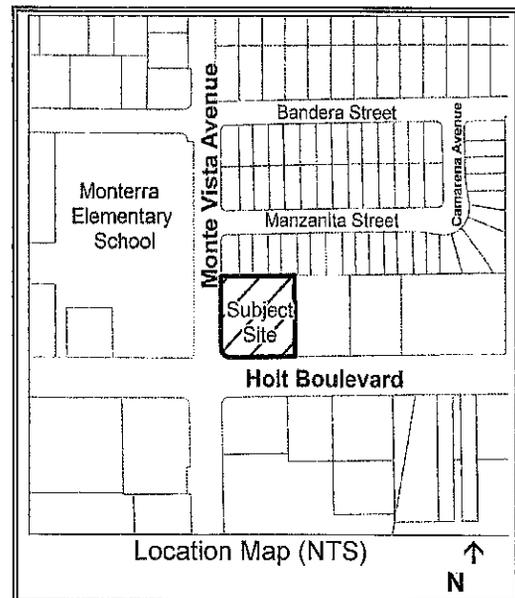
CITY OF MONTCLAIR  
**PLANNING COMMISSION**

**MEETING DATE: 10/24/16**

**AGENDA ITEM 6.a**

**Case No. 2016-25**

**Application:** A request to demolish an existing gas station canopy and ancillary building to construct a new 4,390 s.f canopy over an eight gas pump gas station, a new 5,600 s.f building to accommodate a convenience store without alcohol sales, a food use, and an automated, drive-thru express car wash tunnel at the location noted below. The project requires approval of a Conditional Use Permit (CUP) to allow the car wash, convenience store, and re-establishment of the gas station and a Precise Plan of Design (PPD) for the architectural and site design of the overall project.



**Project Address:** 4910 Holt Boulevard

**Property Owner:** Maronix, Inc.

**General Plan:** General Commercial

**Zoning:** Commercial per the Holt Boulevard Specific Plan (HBSP)

**Assessor Parcel No.:** 1010-643-30-0000

**City/Public Utility Easements:** None

Adjacent Land Use Designations and Existing Uses			
	General Plan	Zoning	Existing Use of Property
<b>Site</b>	General Commercial	Commercial per HBSP	ARCO Gas Station
<b>North</b>	Low, 3-7 units/acre	R-1 (Small Lot)	Single Family Home
<b>East</b>	General Commercial	Commercial per HBSP	Multi-tenant Commercial
<b>South</b>	General Commercial	Business Park per HBSP	Vacant Lot/Multi-tenant Commercial
<b>West</b>	General Commercial	C-3 (General Commercial)	Monterra Elementary School

## Report on Item Number 6.a

### PUBLIC HEARING - CASE NUMBER 2016-25

APPLICATION TYPE(S)	Conditional Use Permit and Precise Plan of Design
NAME OF APPLICANT	Maronix, Inc
LOCATION OF PROPERTY	4910 Holt Boulevard
GENERAL PLAN DESIGNATION	General Commercial
ZONING DESIGNATION	Commercial per Holt Boulevard Specific Plan
EXISTING LAND USE	ARCO Gas Station
ENVIRONMENTAL DETERMINATION	Categorically Exempt (Section 15332)
PROJECT PLANNER	Silvia Gutiérrez

#### **Project Proposal**

The project proposes the demolition of an existing gas station facility located at the northeast corner of Holt Boulevard and Monte Vista Avenue, in order to construct and operate a new gas station facility which includes AMPM convenience store (without alcohol sales), quick serve food use, and a car wash tunnel at the site. The project site is approximately 0.96-acre in size. The project requires the approval of a Conditional Use Permit (CUP) as well as a Precise Plan of Design (PPD).

#### **Project Description**

Following demolition of the existing facility on the site, the proposed project involves the construction of an entirely new facility on the site. The only item not being affected is the location of the underground gas storage tanks that are located adjacent to Monte Vista Avenue side of the property. The new gas station facility is comprised of the following elements:

- Gas Station Canopy – A new 4,390 square-foot gas station canopy with eight (8) pump islands. The new canopy is proposed to be placed on the west side of the property and oriented in a north-south fashion to capitalize on the depth of the lot and allow for improved vehicular circulation on and off site. The new gas station canopy would be setback 46 feet from the west property line and would accommodate two additional pump islands for a total of eight (8) pumps. The height of the canopy structure would be 18 feet and allow clearance for public safety vehicles. Fuel service would be available 24 hours a day. The expected operator is ARCO.

- Convenience Store and Quick Serve Restaurant – A new 2,500 square-foot convenience store and 900 square foot quick serve restaurant, without alcohol sales. The “store” portion of the project, would be on the east half of the site as is also oriented in a north-south fashion. The front doors of the store will face west toward the new gas canopy. The store would provide an assortment of general merchandise items including a fresh food “island,” frozen foods, candy, fruit, sandwiches, and soft drinks. AMPM is the intended operator of the store. If approved, the convenience store would be open seven (7) days a week, 24 hours a day. The store would employ approximately two (2) employees at all times. No alcoholic beverages are proposed for this site.

The quick serve restaurant operator has not been identified but given parking requirements for the site, interior seating would be limited to a maximum of 12 seats. The quick serve restaurant operator hours would be 6 am to 10 pm seven days a week.

- Car Wash – A new 1,500 square-foot car wash tunnel located on east side of the proposed convenience store building, and a 700 square foot equipment storage room. The entry point into the car wash tunnel would be on the north side of the building with vehicles exiting on the south. When vehicles enter into the car wash tunnel, a belt transporter would convey vehicles through the tunnel and wash/dry process. Customers will remain in their vehicles for the entire wash/dry process, reported to take less than five minutes to complete. No vacuums are proposed since the car wash is a quick drive through and go concept.

According to the applicant, up to three (3) employees would staff the car wash during business hours seven days a week. Projected hours of operation of the car wash are between the hours of 7:00 a.m. and 8:00 p.m. daily, although the business may closer earlier at certain times of the year or during inclement weather. When the car wash operation is closed at the end of each day, the tunnel openings will be secured with decorative roll-down gates.

Primary access to the site would continue to be from an existing 40-foot wide entry off Monte Vista Avenue. The two existing driveways on Holt Boulevard would be merged into a single 40-foot wide driveway and moved away from the intersection. The driveway widths for the site would allow for oversized vehicles and fuel trucks to safely maneuver on and off the site. Customer and employee parking spaces are proposed to be located on the west side of the building and site. The drive through lane for the proposed carwash tunnel would allow vehicles to enter the tunnel from the west utilizing a 25-foot turning radius that would accommodate the stacking of at least three (3) vehicles. The project provides 18 on-site parking spaces. A new covered trash enclosure will be located in the northwest portion of the site. A 7-foot tall metal fence is proposed along the northeasterly property line to help secure the rear of the site and prevent unauthorized access to the adjoining property.

A conceptual landscape and irrigation plan prepared by a California-licensed landscape architect for the site is included. The bulk of landscaping for the site would be provided in street side planter areas, adjacent to both streets. The plan features the use of trees, drought tolerant shrubs and groundcovers. No turf areas are proposed.

### Building Design

The proposed design of the canopy reflects ARCOs corporate design and features a flat roof design with minimal embellishments on the edges except for corporate signs. The new AMPM convenience store and attached carwash tunnel will be a modest modern design. Two new taller wall sections are proposed to provide visual interest on the west and south elevations which face the adjacent streets. The largest and tallest of the "tower" like wall sections faces west and identifies the primary side of the building and the front door of the convenience store. The remainder of the building elevations will feature a simple cornice, bronze-colored storefront windows/doors frames, projecting awnings over main windows and doors, and a brick base. Walls will be finished in stucco and painted in three complementary colors. The easterly wall in building enclosing the carwash tunnel will be further enhanced through the use of creeping vegetation grow screens to serve as a both a visual building enhancement and a deterrence to graffiti.

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

### Background

- The subject site is located in the "Commercial" zoning district within the Holt Boulevard Specific Plan, in which gas station, convenience store, and car wash uses are permitted subject to the approval of a CUP.
- The applicant and owner of the property acquired the subject site in November 1988.
- The site has undergone several changes in ownership since a gas station was first established at this location in the early 1960's.
- Pursuant to Section 11.42.050 B2., no application for CUP shall be accepted, unless the proposed off-sale liquor establishment is located 500 feet or more from any existing house of worship, public or private school, park, playground, or hospital measured from property line to property line of the parcels involved. Since Montera Elementary School is located 100 feet away from the project site the applicant is prohibited from applying to sell alcohol from this location.

## Planning Division Comments

Overall, staff finds the proposed project to be appropriate for the site and optimally designed. The site is of adequate size and shape to support the proposal, access to the site is appropriate, and proposed site improvements including parking, landscaping, and required elements of the approved Water Quality Management Plan (WQMP) are consistent with applicable City development standards.

The project is in compliance with the applicable development standards of the "Commercial" zoning district of the Holt Boulevard Specific Plan, including setbacks, building height, and parking as generally described above. Moreover, the overall height of 26 feet for the tallest tower element in the building is well below the maximum 75-foot height limit.

On-site parking is sufficient and properly distributed around the site. However, the Montclair Municipal Code does not contain specific parking standards for a car wash use. So, staff utilized the standard retail standard of 1 space per 250 square feet of gross floor area. Based on this standard, the minimum parking requirement for a convenience store quick serve restaurant building totaling would be 18 spaces. The car wash tunnel was not included since vehicles are anticipated to drive through and go since no vacuums are proposed at this location to minimize noise impacts to nearby residential uses.

## Building Design

Staff worked with the architect on the design of the building and is generally pleased with its overall design. The redevelopment of an existing gas station will modernize a dilapidated and outdated site was a new properly configured gas station, convenience store and automated carwash. Staff is pleased that the proposed architectural enhancements of the building façade are carried out on all sides. The combination of exterior wall materials, a cohesive color scheme, as well as architectural features help to create an interesting and decorative building design enhancing the site appearance.

The raised parapet proposed for the entire convenience store building is tall enough to provide appropriate screening of any rooftop equipment from street level and adjacent properties to a reasonable degree. Staff has added a condition of approval requiring that all future rooftop equipment be fully screened and/or placed on the ground behind the building and screened from view to the greatest extent possible.

With respect to landscaping, staff finds the selected plant materials to be appropriate and evenly distributed around the site where planter areas are proposed. The landscaping theme is simple and done in a "Southwest" theme so as to complement the unique look for the new building. The proposed irrigation system is also designed to be water efficient.

## Security and Noise

The applicant will be required to install interior and exterior security cameras on the building prior to commencing business. The cameras will utilize high-definition digital video capable of retaining video records for a period of 90 days. In addition, a condition of approval has been included requiring that a photometric analysis be prepared to demonstrate compliance with the City of Montclair's security ordinance with respect to on-site parking lot lighting.

Staff generally supports the proposed hours of operation as long as the full complement of staff (3 employees) remains present on the site to maintain a clean and orderly operation and conduct by customers. A condition of approval has been added to address this concern as well as requiring the posting of signs indicating the expected code of conduct by customers using the facility.

In the past, the chief concern with car wash uses has been noise, particularly that caused by dryer blowers at the end of the wash/dry cycle. However, the situation has improved somewhat with newer equipment and technology. According to the equipment literature, noise levels of the dryers at the end of the car wash tunnel are approximately 100 dB at the exit which then dissipates rather quickly within the first 50 feet from the building to normal ambient noise levels of approximately 65-70 dB for commercial zoned properties. The closest potential sensitive receptors (i.e., residential uses) that would be impacted by noise emanating from the south end of the car wash tunnel are located to the north of the site, over 78 feet away and behind the existing seven to eight-foot high masonry wall located along the northern property line. Staff believes that the distance to the property line in combination with the proposed block wall and the generally daytime operating hours will be sufficient to reduce any potential noise impacts from the vacuums to the adjacent residential uses.

## Conditional Use Permit Findings

Staff believes the required findings for granting a Conditional Use Permit can be made to allow the proposed automated car wash use, convenience store (no alcohol sales), fueling station and oil change facility in the "Commercial" zone within the Holt Boulevard Specific Plan as follows:

- A. The proposed CUP for the demolition of existing gas station and construction of the gas station/convenience store/ with attached express car wash tunnel facility on the subject site is essential or desirable to the public convenience and public welfare. The grouping together of the proposed uses is very common, provides a benefit to both customers and to the general public. Convenience stores selling groceries, food stuffs, and various sundry products play an essential role in areas of the City where major grocery stores are non-existent. This proposal does not include the sale of alcoholic products, given its proximity to Montera Elementary School. The property owner and proposed business operators have the

resources and experience to properly implement and operate the businesses in question in a professional manner.

- B. That granting the CUP for the demolition of existing gas station and construction of the gas station, convenience store, with attached express car wash tunnel facility will not be materially detrimental to the public welfare and to other property in the vicinity. Except for the convenience store and car wash tunnel, the gas station and the addition of a convenience store and express car wash tunnel would complement the former use. The project is well designed and meets all applicable development standards of the underlying zoning district. When completed, the project will have a positive impact to the area and surrounding streetscape. Lastly, conditions of approval are proposed to ensure that the operation of the gasoline station, convenience store, automated car wash facility are properly operated.
- C. That the gas station/convenience store with attached express car wash tunnel facility uses in such location conforms to good zoning practice, in that said uses are consistent with the types of uses permitted in the "Commercial" zoning district of the Holt Boulevard Specific Plan, subject to CUP approval. Moreover, the project complies with the applicable development standards of the "Commercial" zoning district, including setbacks, building height, and parking.
- 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 orderly development with respect to adopted land use plans, and the continual improvement of the City as a place for attractive commercial uses while minimizing potential detrimental impacts on surrounding properties.

### **Precise Plan of Design Findings**

Pursuant to Chapter 11.80 of the Montclair Municipal Code, the following findings for the Precise Plan of Design can be made:

- A. The proposed site and building improvements for the subject site are consistent with the applicable zoning standards and land uses allowed by the Commercial zoning district of the Holt Boulevard Specific Plan (HBSP).
- B. At .96 - acres in area, the overall size and shape size of the site is sufficient to accommodate the proposed site improvements and operation of the proposed uses.
- C. The proposed exterior design for the buildings on site is well done and up-to-date in appearance. When the project is completed, this project will provide a much needed visual boost to the image of the Holt Boulevard corridor and will serve to further redevelopment efforts in the area.

## **Environmental Assessment**

The Planning Division has determined the project to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15332 of the State CEQA Guidelines, which covers infill projects in significantly developed areas. The proposed development of a fully automated car wash is consistent with the applicable policies of the General Plan, "Commercial" per zoning district per Holt Boulevard Specific Plan, is less than five acres in area, has utilities present in the area to serve the development, and is similar to other existing commercial uses in the vicinity. Further, the property is less than one acre in area and Planning staff utilized the San Bernardino Stormwater Geodatabase to confirm that the site has no rare or endangered plants or species. As such, there is no substantial evidence the project will pose a potential significant impact to the environment.

## **Public Notice**

This item was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on October 14, 2016. 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 have been received from the public.

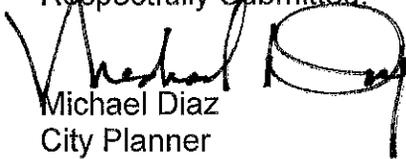
## **Planning Division Recommendation**

Staff recommends the Planning Commission take the following actions:

- A. Move that, based upon evidence submitted, the project is deemed exempt from the requirements of the California Environmental Quality Act (CEQA). The project qualifies as a Class 32 exemption under Section 15332 of the State CEQA Guidelines in that the project is consistent with the applicable policies of the General Plan, the development policies and criteria of the "Commercial" zone per the Holt Boulevard Specific Plan, is less than five acres in size, has utilities present in the area to serve the development, and is similar to other existing commercial developments and uses in the vicinity. As such, there is no substantial evidence the project will pose a potential significant impact to the environment.
- B. Approve the Conditional Use Permit and Precise Plan of Design request for the site plan, floor plan, elevations, colors, materials, conceptual landscape plan, and use of a request to demolish an existing gas station canopy and ancillary building to construct a new 4,390 square-foot canopy over an eight gas pump gas station.

a new 5,600 square-foot building to accommodate a convenience store without alcohol sales, a food use, and an automated, drive-thru express car wash tunnel at the northeast corner of Holt Boulevard and Monte Vista Avenue, in the "Commercial" zone district per HBSP, by adopting Resolution No. 16-1873.

Respectfully Submitted,

  
Michael Diaz  
City Planner

Attachment: Draft Resolution No. 16-1873

c: Maronix, Inc. 1028 Avonoak Ter, Glendale, CA 917206 (property owner of record)  
Samir Yassine, 4910 Holt Boulevard, Montclair, CA 91763  
Alex Cuevas and Esteban Jimenez, AGC Design Concept Inc. 28524 Constellation Rd.  
Valencia, CA 91355

Z:\COMMDEV\GIS\CASES\2016-25\ARCO GAS STATION CONVENIENCE STORE AND CAR WASH TUNNEL\4910 HOLT BLVD

**RESOLUTION NO. 16-1873**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING A CONDITIONAL USE PERMIT AND PRECISE PLAN OF DESIGN UNDER CASE NO. 2016-25 FOR THE SITE PLAN, FLOOR PLAN, ELEVATIONS, COLORS, MATERIALS, AND CONCEPTUAL LANDSCAPE PLAN ASSOCIATED WITH THE DEMOLITION AND RECONSTRUCTION OF A GAS STATION USE WITH A DRIVE THRU CAR WASH AND CONVENIENCE STORE ON A .96-ACRE SITE AT THE NORTHEAST CORNER OF HOLT BOULEVARD AND MONTE VISTA AVENUE, IN THE COMMERCIAL ZONING DISTRICT WITHIN THE HOLT BOULEVARD SPECIFIC PLAN (APN 1010-643-30-0000).**

A. Recitals.

**WHEREAS**, on October 10, 2016, Maronix, Inc., property owner, filed an application for a Conditional Use Permit and Precise Plan of Design (PPD) to allow the development of a new 4,390 square-foot gas station canopy, and a 5,600 square-foot building containing a convenience store, quick serve restaurant, and car wash tunnel and surface parking at the northeast corner of Holt Boulevard and Monte Vista Avenue; and

**WHEREAS**, the subject site consists of a parcel approximately 41,205 square feet in area (0.96 acres); and

**WHEREAS**, the proposed development and use of the property includes a new 4,390 square-foot gas station canopy, and a 5,600 square-foot building containing a convenience store, quick serve restaurant, and car wash tunnel; and

**WHEREAS**, the project site is located Commercial (C) zoning district within the Holt Boulevard Specific Plan (HBSP); and

**WHEREAS**, gas station uses, convenience store uses, and car wash uses in the Commercial zoning district per the HBSP require the approval of a Conditional Use Permit (CUP); 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 of the site; and

**WHEREAS**, the subject development proposal is in compliance with the applicable development standards of the Commercial zoning district within the HBSP, including setbacks, building height, landscaping, and parking; and

**WHEREAS**, the project site is of adequate size and shape to support the proposal as designed with required site improvements such as access, parking, landscaping, and required elements of the approved Water Quality Management Plan (WQMP); and

**WHEREAS**, the Planning Division has determined the project to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15332 of the State CEQA Guidelines, which covers infill projects in significantly developed areas. The proposed development of a gas station use, convenience store, and car wash on the subject site is consistent with the applicable policies of the General Plan, the Commercial zoning district of the HBSP, is less than five acres in area, has utilities present in the area to serve the development, and is similar to other existing commercial developments and uses in the vicinity. As such, there is no substantial evidence the project will pose a potential significant impact to the environment; 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**, this item was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on October 14, 2016. 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; and

**WHEREAS**, on October 24, 2016, 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:

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

2. Based upon substantial evidence presented to this Commission during the above-referenced public hearing on October 24, 2016, including written and oral staff reports, together with public testimony, this Commission hereby finds with respect to the Conditional Use Permit request as follows:
  - a. The proposed CUP for the demolition of existing gas station and construction of the gas station/convenience store/ with attached express car wash tunnel facility on the subject site is essential or desirable to the public convenience and public welfare. The grouping together of the proposed uses is very common, provides a benefit to both customers and to the general public. Convenience stores selling groceries, food stuffs, and various sundry products play an essential role in areas of the City where major grocery stores are non-existent. This proposal does not include the sale of alcoholic products, particularly notable given its proximity to Montera Elementary School. The property owner and proposed business operators have the resources and experience to properly implement and operate the businesses in question in a professional manner.
  - b. That granting the CUP for the demolition of existing gas station and construction of the gas station/convenience store/ with attached express car wash tunnel facility will not be materially detrimental to the public welfare and to other property in the vicinity. Except for the convenience store and car wash tunnel, the gas station and the addition of a convenience store and express car wash tunnel would complement the former uses. The project is well designed and meets all applicable development standards of the underlying zoning district. When completed, the project will have a positive impact to the area and surrounding streetscape. Lastly, conditions of approval are proposed to ensure that the operation of the gasoline station, convenience store, automated car wash facility are properly operated.
  - c. That the gas station/convenience store with attached express car wash tunnel facility uses in such location conforms to good zoning practice, in that said uses are consistent with the types of uses permitted in the "Commercial" zoning district of the Holt Boulevard Specific Plan, subject to CUP approval. Moreover, the project complies with the applicable development standards of the "Commercial" zoning district, including setbacks, building height, and parking.
  - 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 orderly development with respect to adopted land use plans, and the continual improvement of the City as a place for attractive commercial uses while minimizing potential detrimental impacts on surrounding properties.

3. Based upon substantial evidence presented to this Commission during the above-referenced public hearing on October 24, 2016, including written and oral staff reports, together with public testimony, this Commission hereby finds with respect to the Precise Plan of Design request as follows:
  - a. The proposed site and building improvements for the subject site are consistent with the applicable zoning standards and land uses allowed by the Commercial zoning district of the Holt Boulevard Specific Plan (HBSP).
  - b. At 0.96 - acre in area, the overall shape and size of the site is sufficient to accommodate the proposed site improvements and operation of the proposed uses.
  - c. The proposed exterior design for the buildings on site is well done and up-to-date in appearance. When the project is completed, this project will provide a much needed visual boost to the image of the Holt Boulevard corridor and will serve to further redevelopment efforts in the area.

D. Conditions.

4. Based upon the substantial evidence presented to this Commission during the above-referenced hearing on October 24, 2016, 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, Commercial zoning district per HBSP and good planning principles, and approves the application subject to each and every condition set forth below.

Planning

1. This approval shall be for the following:
  - a. A Conditional Use Permit to allow the construction of a new gas station use with a convenience store and quick serve restaurant (without alcohol sales), and car wash tunnel at 4910 Holt Boulevard (new address) as described in the staff report; and
  - b. A Precise Plan of Design for the site plan, floor plans, elevations, colors, materials, and landscaping associated with the development of a development of a new 4,390 square-foot gas station canopy, and a 5,600 square-foot building containing a convenience store, quick serve restaurant, and car wash tunnel and surface parking on a .96-acre site vacant property located at

4910 Holt Boulevard as depicted on the submitted plans and as described in the staff report.

2. CUP approval shall be valid for a period of six months (180 calendar days) from the date of Planning Commission approval and shall automatically expire on the six-month anniversary date of Planning Commission action, unless the applicant is diligently pursuing building plan check toward eventual construction or implementation 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 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 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 approval shall require further review and approval by the Planning Commission.
5. 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, the State of California, or United States Government.
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 **\$50.00**, payable to "Clerk of the Board of Supervisors," to cover the fee for filing a Notice of Exemption for the project as required by the California Environmental Quality Act (CEQA).
  - b. A check in the amount of **\$460.81**, made 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. 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. Prior to the commencement of business activities, the business owner shall apply for and obtain a City of Montclair Business License, and shall maintain a valid City business license at all times. Should such licensing be denied, expire or lapse at any time in the future, this permit shall become considered a violation of this condition and the use shall be subject to revocation proceedings.
10. Car wash hours of operation shall be limited to 7:00 a.m. to 8:00 p.m. daily; however, the business operator may open the business later and/or close the business earlier within the stated range of operating hours. The Car wash tunnel shall not be convert to additional floor area without prior city approval and issuance of necessary permits.
11. Quick serve restaurant hours shall be from 6:00 a.m. to 10:00 p.m. seven (7) days a week. Seating shall be limited to 12 seats.
12. During all hours of business operation, the permittee shall have a "manager" present at the establishment and on duty. The permittee and manager shall be responsible for the conduct of all employees and shall not cause, permit, allow, aid, abet, or suffer any violation of the conditions of this permit or of any provision of the Montclair Municipal Code. Failure to comply with any or all of the conditions of approval shall be deemed sufficient grounds to initiate revocation proceedings regarding the Conditional Use Permit approval.
13. The on-site manager of the use shall take whatever steps are deemed necessary to assure the orderly conduct of employees, patrons, and visitors on the premises. No loud music, noise, or other sounds by means of radio or other broadcasting apparatus or device, or other nuisance which disturbs the quiet and peace of the premises or the neighborhood shall be permitted.
14. The applicant and subsequent property owners and users shall comply with the following operational standards:

- a. The premises shall be maintained at all times in a neat and orderly manner consistent with this approval.
  - b. No outdoor storage on the site shall be allowed including personal or business items (including storage containers or motor vehicles) shall be allowed.
  - c. No public telephones, vending machines (except as approved with this application), collection boxes, children's rides or other coin-operated machines shall be located on the property.
  - d. Trash receptacles shall be provided in such number and at such locations as may be specified by the Planning Commission.
  - e. No exterior speakers shall be allowed at the convenience store building, car wash tunnel, with the exception the gas pumps in accordance with State Law.
  - f. The exterior appearance of the premises shall be maintained in a manner consistent with the exterior appearance of commercial properties already constructed within the immediate neighborhood so as to not cause blight or deterioration, or to substantially diminish or impair property values within the neighborhood.
  - g. No alcoholic beverages shall be sold or consumed on the premises. The property owner shall post at least one (1) sign in a prominent location advising patrons that "The Consumption of Alcoholic Beverages on the Premises is Prohibited."
15. Prior to the issuance of building permits, the applicant shall submit the following plans for plan check by the Building and Planning Divisions:
- a. The design of the 7- tall iron fence along the north east property line shall be complementary to the overall appearance of the new building and constructed of durable and easily maintained materials as follows:
    - i. Iron or steel fencing shall have a durable finish (e.g., powder coat) in a color that complements the building or black subject to the satisfaction of the City Planner.
    - ii. The maximum height of the walls shall not exceed eight feet (7'-0") in height along on the east lines as shown on the approved plans, 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 on any portion of the property.

- iii. Roll-up gates shall be made accessible to emergency personnel (Police and Fire) during times when said gates are in a closed position. Contact the Montclair Fire Department for further information and requirements.
- b. An 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. 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 or "house-back" shields may be required to ensure illumination does not adversely impact adjacent properties to the greatest extent possible, particularly the residential properties to the south.
  - 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 be permitted.
  - vii. "Wall-washers" or decorative landscape lighting shall be subject to review and approval by the Planning Division.

- c. 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.
16. All automobile parking spaces shall be clearly delineated with double-line (e.g. "hairpin") striping.
17. A separate Sign Permit Application shall be submitted by the property owner (or licensed sign contractor) for all signs installed on the site. Building mounted signs building shall be limited to the name/nature of the business only and numerical address. Building permits for installation of all signs shall be required.
18. All signs shall be maintained at all times in a safe and secure manner. Exposed surfaces shall be cleaned and painted as necessary. Broken and defective parts shall be repaired or replaced.
19. 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.
20. 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.
21. 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.
22. All roof-mounted mechanical equipment (e.g., vents, meters, HVAC units, ducts, conduit, satellite dishes, photovoltaic systems, etc.), enclosures or equipment screen walls shall not project above the roof parapet at the towers. Roof equipment is prohibited along the standing seam roof.
23. Screening of roof-mounted equipment shall be accomplished by either raised parapet walls of adequate height or by means of a mechanical roof well recessed below the roof line. Screening shall be compatible with the architectural style, materials, and color of the building upon which the equipment is located, subject to the approval of the City Planner.
24. 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.

25. All 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.
26. 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 as visually unobtrusive as possible.
27. 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.
28. Graffiti or etching of glass areas on any portion of the building or site improvements shall be removed and/or replaced immediately by the applicant/property owner upon notification by the City. Paint utilized in covering such graffiti shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
29. Prior to issuance of a Certificate of Occupancy, the applicant shall install all approved landscaping materials on the site, 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 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 in all planted areas.
  - d. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.

30. All landscaping and irrigation systems shall be maintained in accordance with the approved site and/or landscape plan to ensure water use efficiency.
31. 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.
32. 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.
33. To ensure compliance with the provisions of this Planning Commission approval, a final inspection is required from the Planning Division when work has been completed. The applicant shall inform the Planning Division and schedule an appointment for such an inspection.
34. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void or annul, the any action of, or permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities, thereof (including actions approved by the voters of City), for or concerning the project, whether such Actions, are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the

defense. City shall promptly notify the applicant of any action brought and City shall cooperate with the applicant in the defense of the Action.

Building

35. 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 50% of all construction debris.
36. Submit two sets of structural calculations, if required and two sets energy conservation calculations and two soils plans.
37. Architect's/Engineer's stamp and "wet" signature are required prior to plan check approval.
38. 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.
39. Contractors must show proof of State and City licenses and Workers' Compensation coverage to the City prior to permit issuance.
40. Separate permits are required for fencing and/or walls. Double wall conditions which have been created by an adjacent property line wall not be allowed.
41. All utility services to the project shall be installed underground.

42. 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.
43. Construction activity shall only be permitted from the hours of 7:00 a.m. to 8:00 p.m. daily.
44. 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 Fee, Permit and Plan Check Fees, 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 and Safety Division prior to permits issuance.
45. Construct trash enclosure(s) per City Standard (available at the Building Division's public counter).
46. Electrical and fire suppression service shall rise within the interior of the building(s). Roof ladders shall also be located entirely inside the building.
47. 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.
48. 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%).
49. 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 font acceptable to the Planning Division, a minimum of ten inches in height, a minimum of 1 ½

inches in depth, and be in contrasting color 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.
50. A Certificate of Occupancy is required prior to the occupancy of the building. Issuance of the Certificate of Occupancy shall be contingent upon the Fire Department inspection and the final approvals from all other departments and/or agencies.
51. Prior to the issuance of a Certificate of Occupancy, the applicant shall:
- a. Complete all on- and off-site improvements.
  - b. Install all disabled parking stalls and parking lot signage.
52. No temporary construction or sales trailer put on the property for use of office or sales shall first obtaining approval from the Planning Division and the Building Division.

#### Water Quality Management Plan

53. 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.
54. 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 Public Works Director/City Engineer. Contact Joe Rosales, NPDES Coordinator, at (909) 625-9470.
55. Prior to receiving a grading permit a State Construction General permit shall be obtained and proof provided (WDID number) to the Building Division.

56. At the time of grading permit issuance, post-construction Best Management Practices (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.
57. 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 they relate to the WQMP.
  - c. Record the WQMP Maintenance Agreement with the County of San Bernardino and provide evidence of said recording to the Engineering Division.
58. Prior to release of the Certificate of Occupancy for the building, the person or corporation responsible for the preparation of the WQMP shall certify in writing to the Building Official that all conditions and requirements of the WQMP have been implemented or 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 WQMP.
59. 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.

Engineering

60. Payment of transportation-related development impact fees. Fees shall be assessed at the rate in effect at the time the fees are paid.
61. Provide ADA-compliant access at all drive approaches.
62. Existing development is served by three drive approaches on Holt Boulevard and one drive approach on Monte Vista Avenue. The the westerly and easterly of the three drive approaches on Holt Boulevard shall be removed leaving only the middle of the three drive approaches on

Holt Boulevard and the single drive approach on Monte Vista Avenue for use with the new development.

63. All existing overhead utilities within project boundaries and within street frontages adjacent to project shall be placed underground. All existing or new guy wires required to anchor end poles shall be located beyond the project limits. No poles or guy wires shall be permitted to remain with property frontage. As an alternate, developer may request an "in lieu" payment be made to the City.
64. Payment of all outstanding sewer reimbursement fees or assessments as imposed by a district or reimbursement agreement, if any.
65. Payment of Regional Sewerage Capital Outlay fees as specified in the Montclair Municipal Code and by Inland Empire Utilities Agency.
66. Discharge of wastewater into the sewer collection system shall conform to all requirements of the Montclair Municipal Code.
67. A Water Quality Management Plan (WQMP) is required for this project. 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.
68. 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.
69. No soil may be imported or exported to or from the project site from any adjacent building site or from other sources for construction purposes without first obtaining approval from the City Engineer. A plan acceptable to the City Engineer shall be prepared showing proposed haul routes within the City. The plan shall include provisions for street sweeping and cleanup. Contractor(s) shall comply with all National Pollutant Discharge Elimination System (NPDES) requirements.
70. All drainage facilities shall comply with requirements of the approved WQMP.

71. 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.
72. Underground Service Alert shall be notified at least 48 hours prior to any excavation. Contact Underground Service Alert at 800-422-4133.

Environmental

73. All new business occupant(s) of the building shall complete a Wastewater Discharge survey prior to plan review. Contact Nicole deMoet, Environmental Manager, at (909) 625-9446 for more information.
74. All wastewater discharged to the City of Montclair Sanitary Sewer System from the subject facility shall be in compliance with Montclair Municipal Code Section 9.20.610 – Local Concentration Limitations. For more information contact Nicole deMoet, Environmental Manager, at (909) 625-9446.
75. A NISU Wastewater Discharge survey must be completed for the car wash and specifications provided with the recycling system and associated equipment.
76. A sand/oil clarifier will be required. Size/capacity of the sand/oil clarifier shall be determined by the Environmental Manager.
77. A location shall be provided for chemical storage for the wash chemistry. All waste and raw chemicals shall be stored in a covered location and secured in a secondary containment structure.
78. A Restaurant Wastewater Discharge Survey must be completed for the convenience store. Only prepackage food items may be sold. Any prepared food may require the installation of a grease interceptor or a sampling station as determined by the Environmental Manager.

Fire

79. 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 Department 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 Department requires two sets of plans be submitted with an application and all fees pre-paid.
80. 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 department at the time an application for permit is filed (CFC 2013 105.3.8).

81. Provide four (4) 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 department permits, paying all necessary fees prior to beginning construction. (CFC 2013 105.4.1)
82. 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. (2013 CFC 105.4.2.1 and Chapter 9)
83. 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).
84. Provide an accurate description of the scope of work for the project.
85. Show all exterior and interior building dimensions on the plans.
86. The plan check application can be found on the City of Montclair web site: <http://www.cityofmontclair.org> and by clicking on following Departments, Fire, Fire Prevention, plan check and permit process.
87. This project is required to comply with the 2013 California Fire Code as amended in the Montclair Municipal Code, and Montclair Fire Department development standards.
88. All fees are required to be paid in full prior to any permit issuance.
89. 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 (2013 CFC 503.1.1).
90. Exception: Dimension may be increased if the building is equipped throughout with an approved automatic sprinkler system installed in accordance with 2013 CFC Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
91. 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. (2013 CFC 503.2.1)

92. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. [The Minimum Clearance Around a Fire Hydrant Figure D103.1 shows a minimum road width of 26 feet beginning 10 feet before the fire hydrant and ending 10 feet after the fire hydrant. The minimum 26 foot wide road is a minimum of 20 feet long, centered on the fire hydrant] (2013 CFC D103.1).
93. Provide a site plan using a 20-30-40- scale to show turning radiuses for all corners, using a minimum 32 feet inside & 45 feet outside. (CFC 2013 D103.1)
94. Show fire apparatus turn-around dimensions (hammerhead, boot, or cul-de-sac) where fire apparatus access roads and driveways exceed 150 feet (2013 CFC 503.2.5)
95. 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. (2013 CFC 503.2.3)
96. 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 2013 D103.2)
97. 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 chief. (CFC 2013 D103.7)
98. Fire apparatus access roads 20 feet wide to less than 28 feet wide shall be posted on both sides of the road as a fire lane with "NO PARKING – FIRE LANE" signs, red curbs and curb lettering (CFC 2013 D103.6).
99. Roads more than 28 feet in width to less than 36 feet in width. Fire apparatus access roads more than 28 feet wide to less than 36 feet wide shall be posted on one side of the road as a fire lane with "NO PARKING – FIRE LANE" signs, red curb and curb lettering (CFC 2013 D103.6).
100. Buildings exceeding 30 feet in height; three means of fire apparatus access. Commercial and industrial buildings or facilities exceeding 30 feet or three stories in height shall have at least three means of fire apparatus access for each structure (2013 CFC D104.1).
101. Buildings exceeding 30 feet in height; unobstructed width. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of a building more than 30 feet in height (2013 CFC D105.2).
102. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department access shall be provided with

approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerials fire apparatus access roadway (2013 CFC D105.1).

103. At least one of the required access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one side of the building (2013 CFC D105.3).
104. Fire Department roads in excess of 150 feet in length provided with approved provisions for the turning around of fire apparatus. Acceptable turn-arounds are Cul-De-Sac, Hammerheads and Boots. (CFC 2013 D103.4)
105. Must meet all city water standards. Contact the Water Department. 909-624-0035
106. Exact number, location, and design of hydrants shall be determined by Fire Department.
107. Must comply with the NFPA 24 standard and the 2010 California Fire Code. Must install a Fire Department Connection (FDC) located at the DDCA/ 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.
108. An approved water supply capable of providing the required fire flow for fire protection shall be provided (2013 CFC 508.1).
109. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in 2013 CFC Appendix B, Table B105.1
110. 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
111. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24 (508.2.1). Submit plans to the fire department showing fire water system detail.
112. Fire Department Connections (FCD) 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)).

113. The installation of check valves is required between fire hydrants and Fire Department Connections (FDC).
114. Show pipe size of the fire water system on the plans.
115. 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 2013 508.5.1).
116. Provide a site plan showing all fire hydrants and distances to nearest fire hydrants in all directions along fire apparatus access roads.
117. Minimum underground fire service supply pipe shall be 6 inches in diameter. (MMC 10.28.060K(5))
118. 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 2013 903.2). Provide four (4) sets of plans must be submitted to the Montclair Fire Department for approval prior to starting work.
119. 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) Provide four (4) sets of plans must be submitted to the Montclair Fire Department for approval prior to starting work.
120. Every Structure, except Group R, Division 3, and Group R, Division 4 occupancies, here-after remodeled, rebuilt, or renovated where such cost exceed fifty (50) percent of the assessed valuation as determined by the San Bernardino County Tax Assessor shall have an approved automatic fire sprinklers system installed throughout therein. (MMC 10.28.06 J(2)).
121. Any Outdoor detached facilities greater than 200 square feet is required to install an approved fire sprinkler system. (MMC 10.28.060 J(3)).
122. Fire sprinkler system plans are required to be a separate plan submittal with a completed application and all fees pre-paid.
123. 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 2013 CFC Chapter 9 (2013 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.

124. 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".
125. 2013 CFC Chapter 33 conditions shall apply to this project during construction and demolition (2013 CFC 3301.1).
126. Develop and maintain an approved pre-fire plan in cooperation with the fire department (2013 CFC 3308.2).
127. 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 water and fire departments prior to the issuance of permits (2013 CFC).
128. 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. A 2" thick, 20' wide (minimum) paved asphalt road through-out the project. (CFC 2013 503.2.3)
129. Approved vehicle access fire fighting 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 (2013 CFC 1410.1).
130. Fire apparatus roads shall not be obstructed in any manner, including the parking of vehicles (CFC 2013 503.4).
131. 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 2013 505.1.2).
132. Welding, cutting, open torches and other hot work operations and equipment shall comply with 2013 CFC Chapter 26 section 2601.1

133. Provide a readily accessible telephone on-site for emergency use. The street address of the construction site and the emergency telephone number of the fire department shall be posted adjacent to the telephone (2013 CFC 1409.1).
134. Structures under construction, alterations or demolition shall be provided with not less than one approved portable fire extinguisher (2013 CFC 1415.1).
135. 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 (2013 CFC 1410.2 & 506).
136. The developer/general contractor is responsible for reasonable periodic clean-up of the construction site to avoid hazardous accumulation of combustible trash and debris. (Section 304.1, CA Fire Code, 2013 Edition.)
137. The inside turning radius for an access road shall be 20 feet or greater. The outside turning radius for an access road shall be 45 feet or greater. Architect shall demonstrate turning radii for driveway and Fire Department turnaround on site plan(s).
138. The proposed commercial structure shall require an approved fire alarm and automatic fire sprinkler system. The system shall conform to all local and national standards. Three (3) complete sets of the sprinkler system plans shall be submitted directly to the Fire Marshal's Office for approval prior to installation of the system in commercial structures. The system shall be so equipped as to provide a signal to a UL-listed monitoring station in the event of water flow or tampering.
139. Issuance of a Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.
140. A fire hydrant system shall be required to provide the necessary water flow to the proposed structure(s). Every automatic fire sprinkler system shall have at least one fire department connection within 50 feet of a fire hydrant. Exact number, location, and design of hydrants shall be determined by the Fire Marshal's Office when building plans are received. Hydrants shall be active prior to the framing stage of construction. (Section 507.5.1 CA. Fire Code 2013 Edition).
141. Commercial/industrial occupancies shall install approved emergency lighting to provide adequate illumination in the event of any interruption of normal lighting.

142. An approved emergency keyed access system shall be required to facilitate access to buildings or gates 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. Facilities with gated drive approaches shall contact Fire Marshal's Office for additional key and strobe requirement. Fire Department requests a keyed access pedestrian gate on southwest corner of the building to facilitate firefighting operations on the south side of the building (Section D103.5 CA. Fire Code 2013 Edition).
143. Fire extinguisher location(s) to be determined by the Montclair Fire Department.
144. All Double Check Detector Assemblies (DCDA) shall be painted and maintained by the property owner with the following paint color specifications: 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.

Police

145. 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.
146. 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.
147. 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.
148. 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.

149. 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.
150. 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. Cameras shall also be installed monitoring all Points of Sale (POS), including fuel pumps and cashier and ATM locations. 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. IR (night-vision) is preferred, however cameras shall at minimum be capable of low-light operation.
151. Audio recording is desirable, but not a requirement. Camera footage shall be retained for a period no less than 90 days. To conserve storage space, cameras may be motion activated. When active, cameras shall record no less than 30 frames per second. Motion sensors shall be configured to activate properly in all areas covered including the parking area. Motion sensors may be configured to prevent incidental activation from hanging or moving displays. Depending on the nature of the premises, additional cameras may be required, but not limited to areas such as cash registers, bars, alcohol serving stations, or access to restroom areas.
152. 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.
153. The applicant shall install and maintain a closed circuit video surveillance (CCVS) system. The system shall, at minimum, be capable of monitoring all entrances/exits to the premises and be positioned so 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. 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. IR (night vision) is preferred, however cameras shall at minimum be capable of low-light operation.

Audio recording is desirable, but not a requirement. Camera footage shall be retained for a period no less than 90 days. To conserve storage space, cameras may be motion activated. When active, cameras shall record no less than 30 frames per second. Motion sensors shall be configured to activate properly in all areas covered including the parking area. Motion sensors may be configured to prevent incidental activation from hanging or moving displays. Depending on the nature of the premises, additional cameras may be required, but not limited to areas such as cash registers, or access to restroom areas.

154. 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.

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

APPROVED AND ADOPTED THIS 24TH DAY OF OCTOBER, 2016.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

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

ATTEST: \_\_\_\_\_  
Michael Diaz, Secretary

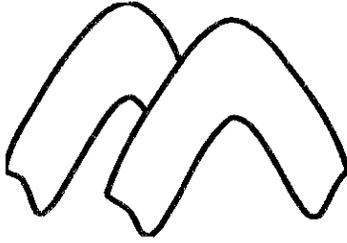
I, Michael Diaz, Secretary of the Planning Commission of the City of Montclair, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Montclair, at a regular meeting of the Planning Commission conducted on the 24th day of October 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

z:\commdev\sgutierrez\CASES\2016\CASES\2016-25 PC RESOLUTION



CITY OF MONTCLAIR  
**PLANNING COMMISSION**

**MEETING DATE: 06/09/14**

**AGENDA ITEM 6.b**

**Case No. 2016-20**

**Application:** A Precise Plan of Design (PPD) for a proposed 54,854 square-foot industrial/warehouse building and associated site improvements on an undeveloped 2.65-acre site. The project also includes a variance request to reduce the required street side setback from 25-feet to 10-feet (on west side adjacent to Ramona Avenue).

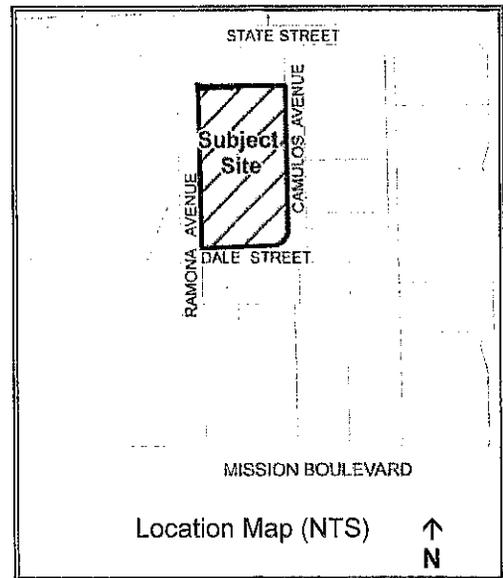
**Project Location:** NEC of Ramona Avenue and Dale Street.

**Property Owner:** Successor Agency to the City of Montclair Redevelopment Agency

**General Plan:** Business Park

**Zoning:** MIP – Manufacturing Industrial Park

**Assessor Parcel No.:** 1012-141-18



Adjacent Land Use Designations and Existing Uses			
	<i>General Plan</i>	<i>Zoning</i>	<i>Existing Use of Property</i>
<b>Site</b>	Business Park	MIP Manufacturing Industrial Park	Vacant
<b>North</b>	Business Park	MIP Manufacturing Industrial Park	Water Well (MVWD)
<b>East</b>	Industrial Park	MIP Manufacturing Industrial Park	Electrical Contractor Offices and Yard
<b>South</b>	Business Park	C-3 General Commercial	Vacant
<b>West</b>	General Commercial	MIP Manufacturing Industrial Park and C-3 General Commercial	Drive In Theater

## Report on Item Number 6.b

### CASE NUMBER 2016-20

APPLICATION TYPE(S)	Precise Plan of Design and Variance (Street Side Setback)
NAME OF APPLICANT	Successor Agency to the City of Montclair Redevelopment Agency
LOCATION OF PROPERTY	NEC of Ramona Avenue and Dale Street
GENERAL PLAN DESIGNATION	Business Park
ZONING DESIGNATION	MIP – Manufacturing Industrial Park
EXISTING LAND USE	Vacant
ENVIRONMENTAL DETERMINATION	Categorically Exempt pursuant to Sections 15332 and 15305(a) of State CEQA Guidelines
PROJECT PLANNER	Michael Diaz

### Project Proposal

The proposed project involves the development of a new 55,577 square-foot industrial/warehouse building on a vacant, 2.65-acre site at the northeast corner of Ramona Avenue and Dale Street. The Successor Agency to the Montclair Redevelopment Agency is the current owner of the property which has approved a Purchase and Sale Agreement to sell the property to Bill Fox who will develop the site and the proposed building. Construction activities for the project would consist of site preparation, grading, building construction, paving, and landscaping.

### **Site Plan**

The square footage of the proposed building would be broken down as follows:

<b>Components of the Proposed Warehouse Building</b>	
<b><i>Use</i></b>	<b><i>Square Footage</i></b>
Warehouse Area	51,577 SF
Ground Office Space	2,000 SF
Mezzanine Office Space	2,000 SF
<b><i>Total</i></b>	<b><i>55,557 square feet</i></b>

The office area identified on the plans is at the southwest corner of the building but has not been planned out at this time. It is likely the office area would have a modest lobby, a kitchen/break room, conference room(s), restrooms, and stairways, and office storage.

Surface parking for 70 spaces (including three (3) disabled-accessible parking spaces) is provided on the site which will be located on the south and north side of the building. On the north side of the building there would be seven (7) dock doors along with one (1) drive-through door. Access to the site is provided at the south (front) of the building from Dale Street and on the north (front) from Camulos Avenue on the eastside of the property. Access to the loading docks, would be from Camulos Avenue.

An 8-foot solid screen wall is proposed along the north property line and a block wall/sliding gate is proposed for the Camulos Avenue side of the property to screen the rear side of the building and site. A decorative combination wall and fence is proposed on the west property line. A covered trash enclosure is also proposed for the rear of the site at the northwest corner.

### **Building Design**

The building would be constructed of concrete tilt-up panels. The proposed panels are designed with offsets, varied heights, and horizontal and vertical reveals to add depth and architectural interest. Required fire exit doors/stairs are also shown as part of the overall building design. To work with the gradual taper of the site to the north, the project architect stepped the shape of building in four places. The overall building height is 43-feet as measured to the tallest wall planes of the structure, with the average height of the building being 38-feet tall.

Fixed commercial grade windows are concentrated on the front (south) side of the building facing Dale Street. Here, the building's design is intended to identify the main entry and highlight the location of the office portion of the building. Proposed colors for the new building are neutral tones of gray and tans. Windows would have a light gray-toned tint.

### **Landscape Plan**

The primary landscape areas for the project are located on the south and east sides of the property within required setbacks. New street trees and shrubs are proposed for these areas which also serve as required bio-retention basins associated with the Water Quality Management Plan (WQMP) approved for the project. 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.

New trees proposed for the project include Chitalpa, Blue Palo Verde (*Cercidium* 'Desert Museum'), Desert Willow (*Chilopsis linearis*) and Crepe Myrtles (*Lagerstroemia indica* 'Muskogee'). Shrubs include, Cistus (Rockrose), Texas Ranger, Texas Privet, Coffeeberry (*Rhamnus californica*), and agave (Parry Agave).

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

## **Setback Variance**

The subject site has three street frontages (Dale Street, and for Camulos and Ramona Avenues) each of which require a 25-foot setback as required by the underlying MIP zoning district. The project meets the setback requirement for Dale Street and Camulos Avenue, but due to the irregular shape of the property on the west side (Ramona Avenue/Bridge) boundary, a setback variance is requested. The proposed setback variance would reduce the required 25-foot street side yard setback from the west property line to a minimum of 10-feet for the building.

## **Background**

- The subject site is generally rectangular in shape with three (3) street frontages - Dale Street, and Ramona and Camulos Avenues - but the dimensional width of the site narrows significantly at the northern end of the property.
- The property is located in an area that is largely developed which includes other industrial and commercial developments/uses. The property in question has direct access to Dale Street and Camulos Avenue both of which are fully developed streets. The Ramona Avenue overpass on the west side of the property is the third frontage for the site.
- The subject property was part of a 5.4-acre vacant site purchased by the former Montclair Redevelopment Agency in 1999 for the Ramona Avenue Grade Separation project. Portions of the original property were used for new roadways (Dale Street and Camulos Avenue), a slope easement for the adjacent grade separation project, and a portion that was sold to the Monte Vista Water District for use as water blending station, leaving the remaining 2.65-acres which constitutes the subject site.
- Pursuant to the approved redevelopment dissolution law, the subject site is now owned by the Successor Agency to the City of Montclair Redevelopment Agency. On June 20, 2016, the Successor Agency Board of Directors considered and agreed to a Purchase and Sale Agreement (No. 16-51) to sell the property to a developer who would construct an industrial building in keeping with the underlying zoning designation.
- The property is zoned MIP-Manufacturing Industrial Park which allows for the development of industrial buildings for manufacturing, warehousing, and/or distribution uses within an enclosed building.

## **Planning Division Comments**

Overall, staff finds the proposed project to be well-designed and the building is appropriately situated on the subject site. The 2.65-acre property has sufficient size and shape and has direct and convenient access to existing streets and a fully

developed intersection at Ramona Avenue and Dale Street. Other site improvements such as parking, trash enclosure, exterior lighting, landscaping, and required elements of the approved Water Quality Management Plan (WQMP) have been accommodated in the proposed site plan.

With the exception of one setback requirement along the west side of the site (as discussed below), the project is in compliance with the applicable development standards of the MIP zoning designation of the property including setbacks, building height, and parking as generally described above. The front of the building facing Dale Street is 71-feet back from the street and 25-feet from Camulos Avenue. The proposed setback from the west property line is 10-feet.

The 43-foot building height for the building is lower than the 50-foot height limit of the MIP zone. The project also provides 70 on-site parking spaces which is six (6) more than the 64 required for the proposed industrial/warehouse building and associated office/administrative areas in the building. On-site parking is properly distributed on the site where it is needed and easily accessible.

Finally, all future business(s) and use(s) within the building would be subject to the land use provisions contained in the Montclair Municipal Code, including the requirement to obtain and maintain a valid business license. As part of the routine review process for any new business, the property would be inspected to ensure compliance with all applicable codes, including property maintenance and the provision of adequate on-site parking.

#### Building Design and Landscaping

Staff worked with the architect on the design of the building and is generally pleased with its overall design. The use of tilt-up panels is common for constructing a building of this type and size and the level of detail elements incorporated into the panel design appears to be appropriate. The use of reveals (horizontal and vertical), wall offsets, and varied panel heights works well on all sides of the building and provides visual interest. The Dale Street elevation is the front of the building and has more detail than the remaining building elevations. Although the stepped building wall design does have an impact on floor plan of the warehouse, the steps in the wall will help to break up what would have otherwise been a long flat wall facing the Ramona Avenue overpass (bridge) on the west side of the property. Staff also finds the proposed color palette of cool grays and tans for the building to be appropriate. When completed the new industrial/warehouse building will contribute to the steady visual and physical improvement in the surrounding area.

The height of the tilt-up wall panels (and corresponding parapet) is tall enough to provide appropriate screening of all rooftop equipment from street level and a reasonable amount from the Ramona Avenue overpass. However, with the exception of skylights and required vents, no major roof top equipment pieces such as air conditioners or duct runs are proposed. Staff has added a condition of approval

requiring that the equipment needs of potential future businesses be placed on the ground behind the building and screened from view to the greatest extent possible.

In regard to landscaping, the selected plant materials are appropriate and appear to be evenly distributed around the site where planter areas are proposed. The proposed irrigation system is also designed to be water efficient. However, since the landscape areas also serve as bio-retention basins (required by the WQMP) staff recommends that the developer continue to work with staff to refine the landscaping plan to achieve an attractive and sustainable design that complements the building and street. Staff has discussed this matter with the developer and a condition of approval regarding this matter has been added to proposed resolution of approval.

### **Setback Variance**

As mentioned above, the subject site is a corner lot, but has three different street frontages (Dale Street, Camulos and Ramona Avenues) as an unintended consequence of the Ramona Avenue overpass project and the creation of Dale Street and Camulos Avenue which border south and east sides of the site. Given the three (3) street frontages bordering the site, a 25-foot setback for each frontage would apply and significantly impact the development potential of the site, which is not typically the case for other corner lot configurations.

Compounding the situation further, the site has an irregular shape along its west side as a result of the slope easement related to the Ramona Avenue overpass project. The design and spread of the slope easement affected the boundaries of the subject site such that the width of site at the northern end is approximately 80-feet narrower (+/- 30 percent difference) than it is at the south end. More specifically, the width of the subject site at the south end (Dale Street) is approximately 260-feet while the north end of the site is 180-feet. To require a full 25-foot setback on the west side of the property adjacent to the Ramona Avenue overpass would require that the building be pushed to the east, and in combination with a narrowing lot, the development of the property would be adversely affected. The proposed 10-foot setback from the west property line would minimize the impact the slope easement has on the shape of the property, and allow for more useable land area and the proper development of the site.

In addition, a 25-foot setback of this size between the building and the existing bridge and slope easements would also result in the creation of an isolated and generally unusable area sandwiched between a building and raised overpass which could be used for unsightly outdoor storage where it would be highly visible. The proposed 10-foot setback would allow sufficient area for emergency fire exiting and/or access, reduce the temptation to use the area for outdoor storage, and provide adequate room for routine maintenance of the building and site. Moreover, the area would be fenced off to deter unauthorized persons from entering the property.

Given the above conditions, staff believes the strict application of the required 25-foot setback from the west property line is impractical and adversely impacts the proper development of the site.

## Variance Findings

Staff believes the necessary findings for the proposed variance from the required street side yard setback standard can be made as follows:

- A. That because of special circumstances applicable to the subject property, including its size, depth, location and surroundings, the strict application of the provisions of the Montclair Municipal Code is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classifications. The strict application of a 25-foot setback requirement for the west side of the property is not a practical solution given the irregular configuration of the subject site. Affecting the configuration of the site is the design and spread of the adjacent Ramona Avenue overpass slope easement, such that the width of site at the northern end is approximately 80-feet narrower (+/- 30 percent difference) than it is at the south end. More specifically, the width of the subject site at the south end (Dale Street) is approximately 260-feet while the north end of the site is 180-feet. To require a full 25-foot setback on the west side of the property adjacent to the Ramona Avenue overpass would require that the building be pushed to the east, and in combination with a narrowing lot, the development of the property would be adversely affected. The proposed 10-foot setback from the west property line would minimize the impact the slope easement has on the shape of the property, and allow for more useable land area on the site.
- 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 zoning classifications. The subject site is a corner lot, but has three different street frontages (Dale Street, Camulos and Ramona Avenues) as an unintended consequence of the Ramona Avenue overpass project and the creation of Dale Street and Camulos Avenue which border south and east sides of the site. Given the three (3) street frontages bordering the site, a 25-foot setback for each frontage would apply and significantly impact the development potential of the site, which is not typically the case for other corner lot configurations.
- C. 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 subject property is located. The proposed 10-foot setback along the west side of the property, would allow for proper development of the site and eliminate the creation of an isolated and generally unusable area of land sandwiched between a building and raised overpass which could be used for unsightly outdoor storage. The reduced setback would allow sufficient area for emergency fire exiting and/or access, reduce the temptation to use the area for outdoor storage, and provide adequate room for routine maintenance of the building and site. Moreover, the area would be fenced off to deter unauthorized persons from entering the property.

- D. The granting of such variance will not be contrary to the objectives of any part of the adopted General Plan. The General Plan encourages the rational use and development of underdeveloped and undeveloped parcels within the City, including modern and attractive industrial projects which this project would accomplish.

### **Public Notice**

Public notice for the project and proposed variance was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on October 14, 2016. Public hearing notices were mailed out to property owners within a 300-foot radius of the subject property 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 this project.

### **Environmental Assessment**

The Planning Division has determined this project to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 and 15305(a) of the State CEQA Guidelines, which covers infill projects in significantly developed areas and minor alterations to land use limits - variance request. The proposed development of the subject site is consistent with the applicable policies of the General Plan, and zoning designation of the site, is less than five acres in area, has utilities present in the area to serve the development, and is similar to other existing industrial and commercial developments and uses in the vicinity. As such, there is no substantial evidence the project will pose a potential significant impact to the environment.

### **Planning Division Recommendation**

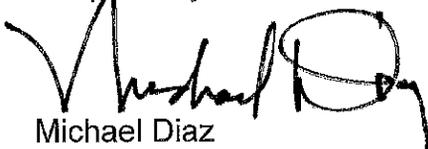
Staff recommends the Planning Commission find the proposal to construct a new, 55,557 square-foot industrial/warehouse building and associated site improvements on the 2.65-acre site at the northeast corner of Ramona Avenue and Dale Street to be well designed and compatible with surrounding land uses. Staff further recommends that the Planning Commission approve the proposed variance to reduce the required street side setback from 25-feet to 10-feet along the west side (adjacent to Ramona Avenue) of the subject site by taking the following actions:

- A. Move that, based upon evidence submitted, the Planning Commission finds the current application for the proposed industrial/warehouse building and related street side setback variance are categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 and 15305(a) of the State CEQA Guidelines, which covers infill projects in significantly developed areas and minor alterations to land use limits - variance requests. The proposed development of the subject site is consistent with the

applicable policies of the General Plan, and zoning designation of the site, is less than five acres in area, has utilities present in the area to serve the development, and is similar to other existing industrial and commercial developments and uses in the vicinity. Moreover, the setback variance requested is limited in scope and does not create new parcels, affect land use, or increase density.

- B. Approve a Variance request under Case No. 2016-20 to allow a 10-foot street side setback distance rather than the required 25-foot setback along the west side of the subject site for the proposed industrial/warehouse building on the 2.65-acres site at the northeast corner of Ramona Avenue and Dale Street, per submitted plans and as described in the staff report, subject to the findings and conditions in Planning Commission Resolution No. 16-1874.
  
- C. Approve the Precise Plan of Design request for the site plan, elevations, conceptual landscape plan, colors and materials associated with the proposed 55,557 square-foot industrial/warehouse building and associated site development improvements on the 2.65-acres site at the northeast corner of Ramona Avenue and Dale Street, per the submitted plans and as described in the staff report, subject to conditions of approval contained in Planning Commission Resolution No. 16-1874.

Respectfully Submitted,



Michael Diaz  
City Planner

MD/le

Attachments: Draft Resolution No. 16-1874

- c: Successor Agency to the City of Montclair Redevelopment Agency  
Bill Fox, 450 E. Foothill Boulevard, Pomona, CA 91767  
Bridget Herdman, Herdman Rierson Architecture+Design, 16201 Scientific Way, Irvine, CA 92618

Z:\COMMDEV\MD\CASES\2016-20 WAREHOUSE BLDG /2016-20 PC 1RPT

**RESOLUTION NO. 16-1874**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING A VARIANCE AND PRECISE PLAN OF DESIGN UNDER CASE NO. 2014-8 FOR THE SITE PLAN, FLOOR PLANS, ELEVATIONS, COLORS, MATERIALS, AND CONCEPTUAL LANDSCAPE PLAN FOR A 55,557 SQUARE-FOOT INDUSTRIAL WAREHOUSE BUILDING AT THE NORTHEAST CORNER OF RAMONA AVENUE AND DALE STREET (APN 1012-141-18).**

**A. Recitals.**

**WHEREAS**, September 19, 2016, an application for a Precise Plan of Design (PPD) and variance was filed under Case No. 2016-20, to allow the development of a single-story, 55,557 square-foot industrial/warehouse building and surface parking at the northeast corner of Ramona Avenue and Dale Street; and

**WHEREAS**, Pursuant to the approved redevelopment dissolution law, the subject site is now owned by the Successor Agency to the City of Montclair Redevelopment Agency. On June 20, 2016 the Successor Agency Board of Directors considered and agreed to a Purchase and Sale Agreement (No. 16-51) to sell the property to a developer who would construct an industrial building in keeping with the underlying zoning designation.

**WHEREAS**, the subject property is approximately 2.65-acres in size and undeveloped; and

**WHEREAS**, the project site is located within the MIP - Manufacturing Industrial Park zone zone; and

**WHEREAS**, the subject site is irregular in shape with three (3) street frontages - Dale Street, and Ramona and Camulos Avenues; and

**WHEREAS**,The property in question has direct access to Dale Street and Camulos Avenue both of which are fully developed streets; 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 of the site with an industrial/warehouse building; and

**WHEREAS**, the new industrial/warehouse building would be generally situated at the center of the site with on-site parking for 70 vehicles. Direct access to the site would be from Dale Street and Camulos Avenue; and

**WHEREAS**, Montclair Municipal Code requires a 25-foot deep street side setbacks for Dale Street, and for both Camulos and Ramona Avenues; and

**WHEREAS**, the proposed variance request would allow a 10-foot street side setback for the proposed industrial building as measured from the west property line adjacent to Ramona Avenue; and

**WHEREAS**, staff has determined that the proposal meets the intent and applicable development standards of the MIP (Manufacturing Industrial) zoning district, except as modified by the variance request related to this project; and

**WHEREAS**, the Planning Division has determined this project to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 and 15305(a) of the State CEQA Guidelines, which covers infill projects in significantly developed areas and minor alterations to land use limits - variance request. The proposed development of the subject site is consistent with the applicable policies of the General Plan, and zoning designation of the site, is less than five acres in area, has utilities present in the area to serve the development, and is similar to other existing industrial and commercial developments and uses in the vicinity. As such, there is no substantial evidence the project will pose a potential significant impact to the environment; and

**WHEREAS**, the Planning Commission has reviewed the Planning Division's determination that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 and 15305(a) of the State CEQA Guidelines, and based on its own independent judgment, concurs with staff's determination of said exemptions and finding of no significant effect on the environment; and

**WHEREAS**, public notice for the project and proposed variance was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on October 14, 2016. Public hearing notices were mailed out to property owners within a 300-foot radius of the subject property 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 this project; and

**WHEREAS**, on October 24, 2016, commencing at 7:00 p.m. in the Council Chamber at Montclair City Hall, the Planning Commission conducted a public hearing at which time all persons wishing to testify in connection with said application were heard, and said application was fully studied.

B. Resolution.

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

2. This Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.
3. Based upon substantial evidence presented to this Commission during the above-referenced public hearing on June 22, 2015, including written and oral staff reports, together with public testimony, this Commission hereby finds as follows:
  - a. That because of special circumstances applicable to the subject property, including its size, depth, location and surroundings, the strict application of the provisions of the Montclair Municipal Code is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classifications. The strict application of a 25-foot setback requirement for the west side of the property is not a practical solution given the irregular configuration of the subject site. Affecting the configuration of the site is the design and spread of the adjacent Ramona Avenue overpass slope easement, such that the width of site at the northern end is approximately 80-feet narrower (+/- 30 percent difference) than it is at the south end. More specifically, the width of the subject site at the south end (Dale Street) is approximately 260-feet while the north end of the site is 180-feet. To require a full 25-foot setback on the west side of the property adjacent to the Ramona Avenue overpass would require that the building be pushed to the east, and in combination with a narrowing lot, the development of the property would be adversely affected. The proposed 10-foot setback from the west property line would minimize the impact the slope easement has on the shape of the property, and allow for more useable land area on the site.
  - 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 zoning classifications. The subject site is a corner lot, but has three different street frontages (Dale Street, Camulos and Ramona Avenues) as an unintended consequence of the Ramona Avenue overpass project and the creation of Dale Street and Camulos Avenue which border south and east sides of the site. Given the three (3) street frontages bordering the site, a 25-foot setback for each frontage would apply and significantly impact the development potential of the site, which is not typically the case for other corner lot configurations.

- c. 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 subject property is located. The proposed 10-foot setback along the west side of the property, would allow for proper development of the site and eliminate the creation of an isolated and generally unusable area of land sandwiched between a building and raised overpass which could be used for unsightly outdoor storage. The reduced setback would allow sufficient area for emergency fire exiting and/or access, reduce the temptation to use the area for outdoor storage, and provide adequate room for routine maintenance of the building and site. Moreover, the area would be fenced off to deter unauthorized persons from entering the property.
- d. The granting of such variance will not be contrary to the objectives of any part of the adopted General Plan. The General Plan encourages the rational use and development of underdeveloped and undeveloped parcels within the City, including modern and attractive industrial projects which this project would accomplish.

C. Conditions of Approval.

Based upon the substantial evidence presented to this Commission during the above-referenced hearing on October 24, 2016, 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 approval shall be for the following:
  - a. A Variance to allow to a 10-foot street side setback distance rather than the required 25-foot setback along the west side of the subject site for the proposed industrial/warehouse building at the subject site per the approved site plan and as described in the staff; and
  - b. A Precise Plan of Design for the request for the site plan, elevations, conceptual landscape plan, colors and materials associated with the proposed 55,557 square-foot industrial/warehouse building and associated site development improvements on the 2.65-acres site at the northeast corner of Ramona Avenue and Dale Street, per the submitted plans and as described in the staff report.

2. The approved variance for a 10-foot setback shall only apply to the west side of the property for the approved building on the site. All other required setbacks of the MIP zoning district shall continue to apply.
3. The west setback area of the site approved by this variance shall be maintained in a neat orderly manner at all times.
4. Variance approval shall be valid for a period of six months (180 calendar days) from the date of Planning Commission approval and shall automatically expire on the six-month anniversary date of Planning Commission action, unless the applicant is diligently pursuing building plan check toward eventual construction or implementation 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 variance expiration date.
5. PPD approval shall be valid for a period of one year and shall automatically expire on the anniversary date of Planning Commission approval unless the applicant is diligently pursuing building plan check and building permits to allow eventual construction of the project. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's PPD expiration date.
6. 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 modifications, intensification, or expansion of the use and design found by the City Planner to be significant different from the approved plan shall be referred to the Planning Commission for review and approval.
7. 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.
8. Within five (5) days of approval by the Planning Commission, the applicant shall submit the following payments to the Planning Division:
  - a. A check in the amount of **\$50.00**, payable to "Clerk of the Board of Supervisors," to cover the filing fee for the Notice of Exemption (NOE) as required by the California Environmental Quality Act (CEQA).

- b. A check in the amount of **\$507.04**, made 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.
9. 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.
10. The applicant and subsequent property owners and users shall comply with the following operational standards:
  - a. Outdoor storage of personal or other items (including motor vehicles) not directly related to the primary use of the property shall be prohibited anywhere on the exterior of the site.
  - b. No outdoor pay telephones, loudspeakers, or vending machines shall be installed or used on the property.
  - c. No outdoor storage of raw materials, finished products, pallets, equipment and/or other supplies of any kind on the ground, on racks, or within storage containers shall be allowed, including the the setback area on the west side of the building.
11. 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.
12. 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, the property and subject lease spaces will be inspected to ensure compliance with all applicable codes, including the provision of adequate on-site parking.
13. The applicant shall continue to work the City Planner and WQMP Coordinator to refine the proposed landscaping plan for the site (particularly bio-retention basins) to achieve an attractive and sustainable design that complements the building and street.
14. Prior to the issuance of building permits, the applicant shall provide the following of plans submitted for plan check:

- a. A revised landscaping and irrigation plan for the site that is consistent with discussions with the City Planner and WQMP Coordinator.
- b. Fencing/wall/gate plan for the entire site. The design of the decorative metal fence and gates shall be complementary to overall appearance of the new building 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 or black subject to the approval of the City Planner.
  - ii. The face or finished side of any fence or wall on the property shall be directed toward the street or where it is directly visible to the street or adjacent properties. Any posts and stringers used to support a fence shall be placed on the inside facing the subject property.
  - iii. The maximum height of the fence shall not exceed eight feet (8'-0") in height along any 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.
  - iv. Gates 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.
- c. An 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. 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 or "house-back" 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 be permitted.
  - vii. "Wall-washers" or decorative landscape lighting shall be subject to review and approval by the Planning Division.
15. Prior to issuance of a Certificate of Occupancy, the applicant shall install approved landscaping materials on the site including the exterior setback area along the Ramona Avenue frontage of 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 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.
  - d. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.
16. All landscaping and irrigation systems shall be maintained in accordance with the approved site and/or landscape plan to ensure water use efficiency.

17. 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.
18. 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.
19. 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.
20. The final design of any perimeter walls, landscaping and sidewalks shall be included in the required landscape plans and shall be subject to review and approval by the Community Development Director and City Engineer and shall be coordinated for consistency with the design of the main building.
21. All automobile parking spaces shall be clearly delineated with double-line (e.g. "hairpin") striping.
22. No outdoor pay telephones or vending machines shall be installed or used on the property.
23. The outdoor storage of personal or other items (including motor vehicles), not directly related to the primary use of the property shall not be allowed.
24. Signage on the building shall be limited to the name of the business only and numerical address. A monument sign may be installed subject to City review and approval. A separate Sign Permit Application shall be submitted by the property owner (or licensed sign contractor) for the abovementioned sign(s) to the Planning and Building Divisions for review, approval, and issuance of all necessary permits prior to installation of any sign(s).
25. 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.

26. 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.
27. On-site directory signs or directional signs shall be submitted for review and approval of the City Planner.
28. 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.
29. All roof-mounted mechanical equipment (e.g., vents, meters, HVAC units, ducts, conduit, satellite dishes, photovoltaic systems, etc.), enclosures or equipment screen walls shall not project above the roof parapet.
30. Screening of roof-mounted equipment shall be accomplished with mechanical roof wells recessed below the roof line or by solid and permanent roof-mounted screens. Screening shall be compatible with the architectural style, materials, and color of the building upon which the equipment is located, subject to the approval of the City Planner.
31. 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.
32. 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.
33. 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.
34. 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.

35. 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 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.
36. 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.
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.
38. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void or annul, the any action of, or permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities, thereof (including actions approved by the voters of City), for or concerning the project, whether such Actions, are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any action brought and City shall cooperate with the applicant in the defense of the Action.

Building

39. 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 50% of all construction debris
40. Submit two sets of structural calculations, if required and two sets energy conservation calculations.
41. Architect's/Engineer's stamp and "wet" signature are required prior to plan check approval.
42. 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.
43. Contractors must show proof of State and City licenses and Workers' Compensation coverage to the City prior to permit issuance.
44. Separate permits are required for fencing and/or walls.
45. All utility services to the project shall be installed underground.
46. Construction activity shall only be permitted from the hours of 7:00 a.m. to 8:00 p.m. daily.
47. 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 Fee, Permit and Plan Check Fees, 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 and Safety Division prior to permits issuance.
48. Construct trash enclosure(s) per City Standard (available at the Building Division's public counter).

49. Electrical and fire suppression service shall rise within the interior of the building(s). Roof ladders shall also be located entirely inside the building.
50. 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.
51. 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%).
52. 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 font acceptable to the Planning Division, a minimum of ten inches in height, a minimum of 1 ½ inches in depth, and be in contrasting color 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.
53. A certificate of Occupancy is required prior to the occupancy of the building. Issuance of the Certificate of Occupancy shall be contingent upon the Fire Department inspection and the final approvals from all other departments and/or agencies.
54. No temporary construction or sales trailer put on the property for use of office or sales shall first obtaining approval from the Planning Division and the Building Division.

Water Quality Management Plan

55. 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.

56. 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.
57. Prior to receiving a grading permit a State Construction General permit must be obtained and proof provided (WDID number) to the Building Division.
58. At the time of grading permit issuance; post-construction Best Management Practices (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.
59. 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 they relate to the WQMP.
  - c. Record the WQMP Maintenance Agreement with the County of San Bernardino and provide evidence of said recording to the Engineering Division.
60. Prior to release of the Certificate of Occupancy for the building, the person or corporation responsible for the preparation of the WQMP shall certify in writing to the Building Official that all conditions and requirements of the WQMP have been implemented or 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 WQMP.

61. 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.

Engineering

62. Payment of transportation-related development impact fees. Fees shall be assessed at the rate in effect at the time the fees are paid.
63. Sidewalks on Camulos Avenue and Dale Street shall comply with American with Disabilities Act, including accessibility at drive approaches and corners.
64. Street repairs and resurfacing will be determined after extent of pavement damage is determined based on construction activities. Repairs may include grinding and overlaying pavement within total limits of frontages.
65. Existing streetlights on Ramona Avenue, Camulos Avenue, and Dale Street are deemed adequate. Streetlights are owned and maintained by Southern California Edison. If streetlights require relocation for construction of improvements, new locations shall be subject to approval of the City Engineer.
66. All existing overhead utilities within project boundaries and within street frontages adjacent to project shall be placed underground. All existing or new guy wires required to anchor end poles shall be located beyond the project limits. No poles or guy wires shall be permitted to remain with property frontage.
67. All utilities within development boundaries shall be placed underground. This requirement applies to electrical services, transformers and switches, and where technology exists, telephone and cable television facilities as well.
68. Payment of all outstanding sewer reimbursement fees or assessments as imposed by a district or reimbursement agreement, if any, is required.
69. Payment of Regional Sewerage Capital Outlay fees as specified in the Montclair Municipal Code and by Inland Empire Utilities Agency.
70. Discharge of wastewater into the sewer collection system shall conform to all requirements of the Montclair Municipal Code.
71. A Water Quality Management Plan (WQMP) is required for this project. 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.

72. 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.
73. No soil may be imported or exported to or from the project site from any adjacent building site or from other sources for construction purposes without first obtaining approval from the City Engineer. A plan acceptable to the City Engineer shall be prepared showing proposed haul routes within the City. The plan shall include provisions for street sweeping and cleanup. Contractor(s) shall comply with all National Pollutant Discharge Elimination System (NPDES) requirements.
74. All drainage facilities shall comply with requirements of the approved WQMP.
75. 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.
76. Underground Service Alert shall be notified at least 48 hours prior to any excavation. Contact Underground Service Alert at 800-422-4133.

Environmental

77. All new business occupant(s) of the building shall complete a Wastewater Discharge survey prior to plan review. Contact Nicole deMoet, Environmental Manager, at (909) 625-9446 for more information.
78. All wastewater discharged to the City of Montclair Sanitary Sewer System from the subject facility shall be in compliance with Montclair Municipal Code Section 9.20.610 – Local Concentration Limitations. For more information contact Nicole deMoet, Environmental Manager, at (909) 625-9446.

Fire

79. 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 Department 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 Department requires two sets of plans be submitted with an application and all fees pre-paid.
80. 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 department at the time an application for permit is filed (CFC 2013 105.3.8).
81. Provide 4 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 department permits, paying all necessary fees prior to beginning construction. (CFC 2013 105.4.1)
82. 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. (2013 CFC 105.4.2.1 and Chapter 9)
83. 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).
84. Provide an accurate description of the scope of work for the project.
85. Show all exterior and interior building dimensions on the plans.
86. Plan check application. The plan check application can be found on the City of Upland web site: <http://www.cityofmontclair.org> and clicking on following Departments, Fire, Fire Prevention, Plan check and permit process.
87. Development standards. This project is required to comply with the 2013 California Fire Code as amended in the Montclair Municipal Code, and Montclair Fire Department development standards.

88. Fire Department Fees. All fees are required to be paid in full prior to any permit issuance.
89. Fire apparatus access roads to buildings. 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 (2013 CFC 503.1.1).
90. Exception: Dimension may be increased if the building is equipped throughout with an approved automatic sprinkler system installed in accordance with 2013 CFC Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
91. Additional fire apparatus access roads. Provide additional fire apparatus access roads (2013 CFC 503.1.2). Show fire apparatus access on all sides of the building on the plans.
92. Access road width with a fire hydrant. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. [The Minimum Clearance Around a Fire Hydrant Figure D103.1 shows a minimum road width of 26 feet beginning 10 feet before the fire hydrant and ending 10 feet after the fire hydrant. The minimum 26 foot wide road is a minimum of 20 feet long, centered on the fire hydrant] (2013 CFC D103.1).
93. Fire apparatus road turn radii. Provide a site plan using a 20-30-40- scale to show turning radiuses for all corners, using a minimum 20 feet inside & 45 feet outside. (2013 CFC 503.2.4 and D103.3.)
94. Fire apparatus road turn radii. Provide a site plan using a 20-30-40- scale to show turning radiuses for all corners, using a minimum 32 feet inside & 45 feet outside. (CFC 2013 D103.1)
95. Fire apparatus road dead ends. Need to show fire apparatus turn-around dimensions (hammerhead, boot, or cul-de-sac) where fire apparatus access roads and driveways exceed 150 feet (2013 CFC 503.2.5)
96. Fire apparatus road surface. 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. (2013 CFC 503.2.3)
97. Fire apparatus road grade. 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 2013 D103.2)

98. Angles of approach and departure. 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 chief. (CFC 2013 D103.7)
99. Roads 20 feet in width to less than 28 feet in width. Fire apparatus access roads 20 feet wide to less than 28 feet wide shall be posted on both sides of the road as a fire lane with "NO PARKING – FIRE LANE" signs, red curbs and curb lettering (CFC 2013 D103.6).
100. Roads more than 28 feet in width to less than 36 feet in width. Fire apparatus access roads more than 28 feet wide to less than 36 feet wide shall be posted on one side of the road as a fire lane with "NO PARKING – FIRE LANE" signs, red curb and curb lettering (CFC 2013 D103.6).
101. Buildings exceeding 30 feet in height; three means of fire apparatus access. Commercial and industrial buildings or facilities exceeding 30 feet or three stories in height shall have at least three means of fire apparatus access for each structure (2013 CFC D104.1).
102. Buildings exceeding 30 feet in height; unobstructed width. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of a building more than 30 feet in height (2013 CFC D105.2).
103. Buildings exceeding 30 feet in height; accommodating aerial apparatus. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerials fire apparatus access roadway (2013 CFC D105.1).
104. Buildings exceeding 30 feet in height; road position. At least one of the required access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one side of the building (2013 CFC D105.3).
105. Dead-End Fire Access Roads. Fire Department roads in excess of 150 feet in length provided with approved provisions for the turning around of fire apparatus. Acceptable turn-arounds are Cul-De-Sac, Hammerheads and Boots. CFC 2013 D103.4

106. Security gates; minimum gate width. Fire apparatus access road gates shall have a minimum gate width of 20 feet, and must comply with other requirements of 2013 CFC D103.5.
107. Security gates; minimum setback. Security gates are required to be setback 45 feet from the public roadway curb line.
108. Security gates; Opticom system. Motorized security gates are required to have an Opticom system installed to Fire Department specifications. Motorized gates shall also be capable of manual operation in the event of power failure and be operable by one person.
109. Knox Box access. 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 (2013 CFC 506.1).
110. Access to exterior doors and openings. 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 (2013 CFC 504.1).
111. Roof access; parapet ladders. Install parapet ladders and emblems. Locations to be determined by the fire department during plan check.
112. Obstructions. Trees, signs, poles and similar obstructions shall not be placed near buildings so as to interfere with the operation of an aerial device on an aerial fire apparatus. (CFC 2013 D105.4)
113. Commercial- and Multi-Family Addresses. Numbers must be 8-10" tall and automatically illuminated and facing the street. Contact Planning for further information. CFC 2013 505.1
114. Residential Address. Numbers must be 4" tall and automatically illuminated and facing the street. (CFC 2013 505.1)
115. Fire Lane signs. Signs shall be 12 inches by 18 inches with a white background and red letters and shall be a maximum of seven feet in height from the roadway to the bottom part of the sign. The sign shall be within sight of the traffic flow and be a maximum of 60 feet apart or by painting a red striped line along the edge of the roadway and imprinted in white "NO PARKING FIRE LANE". Section (CFC 2013 D103.6)
116. Public Water System. Must meet all city water standards. Contact the Water Department. 909-624-0035

117. Placement of Fire Hydrants. Exact number, location, and design of hydrants shall be determined by Fire Department.
118. Private Water System. Must comply with the NFPA 24 standard and the 2010 California Fire Code. Must install a Fire Department Connection (FDC) located at the DDCA/ 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.
119. Required fire flow. An approved water supply capable of providing the required fire flow for fire protection shall be provided (2013 CFC 508.1).
120. Minimum fire-flow. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in 2013 CFC Appendix B, Table B105.1
121. 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
122. Private water systems. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24 (508.2.1). Submit plans to the fire department showing fire water system detail.
123. FDC & PIV. Fire Department Connections (FCD) 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).
124. Check valves. The installation of check valves is required between fire hydrants and Fire Department Connections (FDC).
125. Pipe size. Show pipe size of the fire water system on the plans.
126. On-site fire hydrants. 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 2013 508.5.1)
127. Fire hydrants. Provide a site plan showing all fire hydrants and distances to nearest fire hydrants in all directions along fire apparatus access roads.

128. Underground Fire Service. Minimum underground fire service supply pipe shall be 6 inches in diameter. (MMC 10.28.060K(5))
129. Automatic fire sprinkler system; new construction. 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 2013 903.2). Provide four (4) sets of plans must be submitted to the Montclair Fire Department for approval prior to starting work.
130. Covered trash enclosures. 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) Provide four (4) sets of plans must be submitted to the Montclair Fire Department for approval prior to starting work.
131. Fire Sprinklers for Commercial. Every Structure, except Group R, Division 3, and Group R, Division 4 occupancies, here-after remodeled, rebuilt, or renovated where such cost exceed fifty (50) percent of the assessed valuation as determined by the San Bernardino County Tax Assessor shall have an approved automatic fire sprinklers system installed throughout therein. (MMC 10.28.06 J(2))
132. Outdoor detached storage facilities. Any Outdoor detached facilities greater than 200 square feet is required to install an approved fire sprinkler system. (MMC 10.28.060 J(3))
133. Automatic fire sprinkler system plans. Fire sprinkler system plans are required to be a separate plan submittal with a completed application and all fees pre-paid.
134. Fire alarm and detection systems. 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 2013 CFC Chapter 9 (2013 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.
135. Access to Equipment in Multi-unit Buildings. 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".

136. General. 2013 CFC Chapter 33 conditions shall apply to this project during construction and demolition (2013 CFC 3301.1).
137. Pre-fire plans. Develop and maintain an approved pre-fire plan in cooperation with the fire department (2013 CFC 3308.2).
138. Water supply for fire protection. 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 water and fire departments prior to the issuance of permits (2013 CFC).
139. All-Weather Access Road and Water. 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. A 2" thick, 20' wide (minimum) paved asphalt road through-out the project. (CFC 2013 503.2.3)
140. Access for fire fighting. Approved vehicle access fire fighting 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 (2013 CFC 1410.1).
141. Obstruction of fire apparatus access roads. Fire apparatus roads shall not be obstructed in any manner, including the parking of vehicles (CFC 2013 503.4).
142. 8-10 inch Address numbers. 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 2013 505.1.2).
143. Hot work operations. Welding, cutting, open torches and other hot work operations and equipment shall comply with 2013 CFC Chapter 26 section 2601.1
144. Emergency telephone. Provide a readily accessible telephone on-site for emergency use. The street address of the construction site and the emergency telephone number of the fire department shall be posted adjacent to the telephone (2013 CFC 1409.1).

145. Portable fire extinguishers. Structures under construction, alterations or demolition shall be provided with not less than one approved portable fire extinguisher (2013 CFC 1415.1).
146. KNOX Key boxes. 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 (2013 CFC 1410.2 & 506).
147. All Double Check Detector Assemblies (DCDA) shall be painted and maintained by the property owner with the following paint color specifications: 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.

Police

148. The applicant shall install and maintain a closed circuit video surveillance (CCVS) system. The system shall, at minimum, be capable of monitoring all entrances/exits to the premises and exterior storage and parking areas. Cameras shall be positioned so 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. 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. IR (night vision) is preferred, however cameras shall at minimum be capable of low-light operation.

Audio recording is desirable, but not a requirement. Camera footage shall be retained for a period no less than 90 days. To conserve storage space, cameras may be motion activated. When active, cameras shall record no less than 30 frames per second. Motion sensors shall be configured to activate properly in all areas covered including the parking area. Motion sensors may be configured to prevent incidental activation from hanging or moving displays. Depending on the nature of the premises, additional cameras may be required, but not limited to areas such as cash registers, or access to restroom areas.

149. 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.

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

APPROVED AND ADOPTED THIS 24TH DAY OF OCTOBER, 2016.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

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

ATTEST: \_\_\_\_\_  
Michael Diaz, Secretary

I, Michael Diaz, Acting 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 24th day of October, 2016 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

Z:\COMMDEV\MDIAZ\CASES\2016-20 PC RESOLUTION