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

REGULAR ADJOURNED MEETING
Monday, November 14, 2016
7:00 p.m.

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

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

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

4. APPROVAL OF MINUTES

The minutes of the October 24, 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 2016-17

Project Address:	9147 Central Avenue
Project Applicant:	McDonald's Corporation
Project Planner:	Silvia Gutiérrez , Associate Planner
Request:	Conditional Use Permit to allow a second drive-thru lane and a Precise Plan of Design to allow a remodel of the building façade, new landscaping, and exterior site improvements
CEQA Assessment:	Categorically Exempt (Section 15301)

b. PUBLIC HEARING - CASE NUMBER 2016-27

Project Address:	5135 Holt Boulevard
Project Applicant:	Amin Khademi on behalf of Casa Linda Furniture
Project Planner:	Silvia Gutiérrez , Associate Planner
Request:	Conditional Use Permit to allow a retail furniture store within an existing warehouse building
CEQA Assessment:	Categorically Exempt (Section 15301)

c. PUBLIC HEARING - CASE NUMBER 2016-19

Project Address:	NEC Mission Boulevard and Monte Vista Avenue
Project Applicant:	4910 Mission Blvd., LLC
Project Planner:	Michael Diaz, City Planner
Request:	Precise Plan of Design for an industrial/ warehouse building
CEQA Assessment:	Categorically Exempt (Section 15332)

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 28, 2016 at 7:00 p.m. in the Council Chambers, 5111 Benito Street, Montclair, California.

CERTIFICATION OF AGENDA POSTING

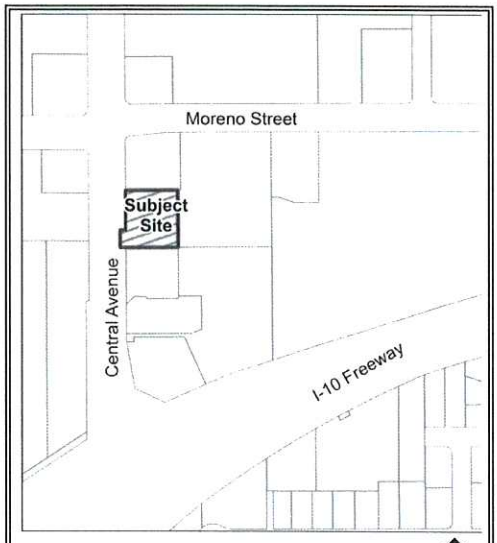
I, Laura Embree, Administrative Secretary for the City of Montclair, hereby certify that a copy of this agenda was posted on the bulletin board adjacent to the north door and the bulletin board adjacent to the south door of Montclair City Hall on November 9, 2016.

CITY OF MONTCLAIR

PLANNING COMMISSION

MEETING DATE: 11/14/16 ***AGENDA ITEM 6.a***

Case No. 2016-17



Site Location Map (NTS)

Application: A request Conditional Use Permit (CUP) (Case 88-43) request to allow a second drive-thru lane. A Precise Plan of Design (PPD) will also be considered for the proposed remodel of the existing building facade, new landscaping, and other exterior site improvements at the subject location.

Project Address: 9147 Central Avenue

Property Owner: Mc Donald's Corporation on behalf of Webb Family Trust

General Plan: Regional Commercial

Zoning: General Commercial (C-3) per Montclair East Specific Plan

Assessor Parcel No.: 1008-201-08-0000

Adjacent Land Use Designations and Existing Uses			
	General Plan	*Zoning*	*Use of Property*
Site	Regional Commercial	General Commercial (C-3) per the Montclair East Specific Plan	McDonald's Restaurant with single lane drive-thru
North	Regional Commercial	General Commercial (C-3) per the Montclair East Specific Plan	JP Morgan Chase Bank
East	Regional Commercial	General Commercial (C-3) per the Montclair East Specific Plan	Montclair East Shopping Center
South	Regional Commercial	General Commercial (C-3) per the Montclair East Specific Plan	Men's Warehouse Clothing Store and Chipotle Restaurant
West	Planned Development	General Commercial (C-3) per the Montclair East Specific Plan	Montclair Place Regional Mall

Report on Item Number 6.a

PUBLIC HEARING – CASE NUMBER 2016-17

APPLICATION TYPE(S)	Conditional Use Permit Amendment and Precise Plan of Design
NAME OF APPLICANT(S)	McDonald's Corporation
LOCATION OF PROPERTY	9147 Central Avenue
GENERAL PLAN DESIGNATION	Regional
ZONING DESIGNATION	C-3 General Commercial per Montclair East Specific Plan
EXISTING LAND USE	Restaurant with Drive-thru
ENVIRONMENTAL DETERMINATION	Categorically Exempt (Section 15301)
PROJECT PLANNER	Silvia Gutiérrez

Project Description

The applicant is requesting approval of Amendment to an existing Conditional Use Permit (CUP) under Case 88-46, to add a second drive-thru lane (and associated menu board/order speaker) for McDonald's Restaurant, and a Precise Plan of Design for a proposed exterior remodel of the existing building located at 9147 Central Avenue within the Montclair East Shopping Center.

Conditional Use Permit (CUP) Amendment – Would allow the reconfiguration of the north side of the site to add a second drive-thru lane and order-station to improve efficiency. The new configuration will create two lanes where customers can order and then move forward to recombine into a single lane for payment, pick-up and exiting. The existing delivery area and landscaping will be reduced in size to accommodate the proposed site changes as depicted on submitted plans.

The project will require the relocation and replacement of the existing grease interceptor and associated manhole so that it can be conveniently accessed for maintenance and inspections.

Precise Plan of Design (PPD) - Several site, exterior, and interior tenant improvements are proposed as summarized below:

- Removal of the existing red metal mansard-style roof as the primary design element of the existing building. A new modern architectural design for the building is proposed which incorporates "squared off" building elevations and use of decorative metal trim and corrugated metal panels. New aluminum canopies over the windows and entrances are also proposed. The existing 35-foot tall accent tower will be retained and remodeled to match proposed exterior materials and colors as described above.

- Proposed new color scheme in beige and grey, as shown in color renderings. The existing stone veneer at the base of the all four sides of the entire restaurant will remain.

- Addition of new decorative light fixtures on the exterior of the building and existing outdoor patio.

- Modify or reconstruct the trash enclosure adjacent to the drive thru lane entry point, to meet current City standards which include the requirement for a solid roof cover.

- Update landscaping areas for the subject site to match existing shrubs that would be relocated as part of the addition of the second drive thru lane.

- Remove interior screen wall and adjacent loading area.

- Provide new identification signs for the business. The applicant will submit a separate application for new signs for administrative review and approval by City staff.

Current restaurant and drive-thru hours of operation are seven days a week, 5:00 AM to 10:00 PM. No changes to open hours of operation are proposed.

Plans for the project are provided in the Commission packets for reference.

Background

- The subject site is approximately 0.69-acres in size.

- Based on City records, the pad building at 9147 Central Avenue was developed in 1990 under Case No. 88-46 as part of the Montclair East Center and has been operated continuously as a fast food restaurant with a single drive-thru lane.

- Section 11.42.040.A of the Montclair Municipal Code and the Montclair East Specific Plan requires approval of an Amendment to the CUP for the addition of a second drive-thru lane.

- In 2001, the Planning Commission approved a Conditional Use Permit Amendment for the subject project that was valid through March 10, 2002. Due to organizational changes, the McDonald's Corporation could not commence the work by that date. The proposed project was subsequently approved for a time extension until March 10, 2003. Since building permits for the project were not obtained by that date, then the approval automatically expired.

Planning Division Comments

Staff is supportive of McDonald's request to add a second lane to the existing drive- thru to expand capacity and improve efficiency at the existing drive-thru lane. Based on experience at other McDonald's restaurant locations where the double drive-thru lane concept has been employed, the applicant believes that guests should move more rapidly through the drive-thru lane.

The new configuration will allow up to fifteen (15) vehicles to use the drive thru lane with less impact on the site that the single lane creates during peak hours. The area behind the restaurant is sufficient size to accommodate the proposed changes and leaves approximately 8-feet of clearance to allow for deliveries. Deliveries are typically scheduled during non-peak hours to avoid conflicts as much as possible. Staff believes the added drive-thru lane will increase efficiency and have an overall positive impact on the flow of traffic through the lane.

On-site parking is not adversely impacted by the proposal. Parking is sufficient to support the existing use although the site only provides sixteen (16) parking spaces. Staff has calculated that the restaurant use requires a minimum of thirty-eight (38) parking spaces. However, a reciprocal parking agreement exists between the McDonald's site and adjacent Montclair East retail center where additional parking is provided. Therefore, adequate on-site parking remains readily available to support the proposed restaurant use. Moreover, the remodel of the building does not involve an increase in floor area than what already exists, so additional parking is not required.

The Police Department reviewed the proposed application and did not object to the proposal to add a second drive-thru lane. The Police Department provided conditions of approval that include the requirement for upgraded video surveillance of the premises, which is consistent with recent City approvals.

Proposed Mc Donald's Remodeled Building Design

Staff has worked with the applicant and his architect to resolve a number of issues regarding the new remodel, including new exterior colors and lighting. Staff is pleased that the proposed architectural enhancements of the building facade are carried out on all sides. The decorative corrugated metal panels at the top of the building add new texture and color to the walls of the building and visual interest consistent with a modern appearance.

In regard to the existing tower element, the franchisee reported that the cost to remove the tower would be cost prohibitive and would remove a key feature of the existing building. Although the existing tower element is slightly tapered in form it has been modified sufficiently to complement the new look for restaurant. The resulting design addresses staff's concerns appropriately and the new changes (interior and exterior) to the site will breathe new life into the subject property, and enhance the appearance of the street and the remainder of the commercial retail center of which it is a part.

Although the parapet proposed for the restaurant remodel appears to be tall enough to provide appropriate screening of any rooftop equipment from street level and adjacent properties, 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. This issue will be reviewed by staff during the plan check process.

Conditional Use Permit Amendment Findings

Staff believes the necessary findings for granting the CUP Amendment to add a second drive-thru lane can be made, as follows:

A. The proposed addition of a second drive-thru lane at the site provides customers the option and convenience for obtaining drinks and meals without leaving their vehicle.

B. That granting the CUP Amendment with the addition of a second drive-thru lane at the site will not be materially detrimental to the public welfare and to other property in the vicinity, in that site is of sufficient size and shape to accommodate the proposed site plan change without adversely impacting existing parking or other site improvements. Moreover, the added drive-thru lane will create an overall positive improvement in the flow of traffic over existing conditions. Moreover, the proposed restaurant use is compatible with existing Commercial zoning designation of the site, surrounding development of commercial uses, and will not negatively impact any sensitive land uses in the surrounding area.

C. That the proposed with the addition of a second drive-thru lane at the subject site conforms to good zoning practice, in that the Municipal Code permits the aforementioned use in the "C-3" General Commercial zoning district of the Montclair East Specific Plan, subject to an Amendment to the original CUP approval. The CUP Amendment allows the City to place additional reasonable conditions to govern the overall operation of the restaurant as well as the drive-thru lanes so that general quality of the site and adjacent uses in maintained.

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 a wide range of retail and service uses within the retail commercial area, including restaurant uses.

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 development standards of the "C-3" General Commercial zone per the North Montclair Specific Plan.

B. At .69 - 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, with little to no adverse impacts.

C. The proposed exterior remodel design for the building on site is well done and up-to-date in appearance. When completed, this project will provide a much needed visual boost to the image of the Central Avenue.

Public Notice and Comments from the Public

This item was published as a public hearing in the Inland Valley Daily Bulletin newspaper on November 4, 2016, as prescribed by law for this discretionary land use entitlement. Public hearing notices were mailed to all property owners within 300 feet from the boundaries of the subject property. No comments have been received as of the printing of this staff report.

Environmental Assessment

The proposed exterior building and site improvements associated with this project are categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the State CEQA Guidelines. The project qualifies because it is on a fully developed site and involves minor exterior and interior improvements and limited site changes not involving grading.

Planning Division Recommendation

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

A. Move that, based upon evidence submitted, the project is deemed exempt from the requirements of the California Environmental Quality Act (CEQA). Further, the project qualifies as a Class 1 exemption under State CEQA Guidelines Section 15301, because it is on a fully developed site and involves minor exterior and interior improvements and limited site changes not involving grading.

B. Move to approve Conditional Use Permit Amendment and Precise Plan of Design under Case No. 2016-17 approving a second drive-thru lane, associated menu board/order speakers and an exterior remodel of McDonald's restaurant located

at 9147 Central Avenue per the submitted plans, and as described in the staff report, subject to the conditions of approval in attached Resolution No. 16-1876.

Respectfully Submitted,

Michael Diaz
City Planner

MD/lb
Z:\COMMDEV\SG\CASES\2016-17 MCDONALDS 2ND DRIVE THRU LANCE AND REMODEL\2016-17RPT

C: McDonald's Corporation/Webb Family Enterprises, 3165 Sedona Court #A, Ontario, CA 91754
Raul Sierra, AECOM, 4225 Executive Square, La Jolla, CA 92037
Evan Smith, 1255 Broad Street, NJ 07013

RESOLUTION NO. 16-1876

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING A CONDITIONAL USE PERMIT AMENDMENT AND PRECISE PLAN OF DESIGN UNDER CASE NO. 2016-17 FOR THE SITE PLAN, FLOOR PLAN, ELEVATIONS, COLORS, MATERIALS, AND CONCEPTUAL LANDSCAPE PLAN ASSOCIATED WITH THE ADDTION OF A SECOND DRIVE-THRU LANE AND EXTERIOR REMODEL OF AN EXISTING 5,000 SQUARE-FOOT MCDONALD'S RESTAURANT WITH PREVIOUSLY APPROVED OUTDOOR DINING ON .69-ACRE SITE LOCATED AT 9147 CENTRAL AVENUE, IN THE "C-3" GENERAL COMMERCIAL ZONING DISTRICT WITHIN THE MONTCLAIR EAST SPECIFIC PLAN (APN 1008-201-08-0000).

A. Recitals.

WHEREAS, on July 18, 2016, McDonald's Corporation (property owner) on behalf of Webb Family Enterprises, filed an application for a Conditional Use Permit Amendment and Precise Plan of Design (PPD) to allow the addition of a second drive-thru lane, associated menu board/order speakers and allow an exterior remodel of McDonald's restaurant located at 9147 Central Avenue per the submitted plans and as described in the staff report; and

WHEREAS, the subject site consists of a parcel with approximately 30,070 square feet in area (0.69 acres); and

WHEREAS, the subject property is located is within the "C-3" General Commercial zoning district of the Montclair East Specific Plan (MESP); and

WHEREAS, the proposed interior and exterior remodel is consistent with the intent of the Montclair East Specific Plan and the Municipal Code; and,

WHEREAS, the addition of a second drive-thru lane in the "C-3" General Commercial zoning district per the MESP require the approval of a Conditional Use Permit (CUP) Amendment; and

WHEREAS, the Precise Plan of Design (PPD) pertains to the site plan, floor plan, elevations, colors, materials, and conceptual landscape plan associated with the proposed remodel of the site; and

WHEREAS, the subject development proposal is in compliance with the applicable development standards of the "C-3" General Commercial zoning district within the MESP, including setbacks, building height, landscaping, and parking; and

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

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 November 4, 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 November 14, 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.

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 November 14, 2016, including written and oral staff reports, together with public testimony, this Commission hereby finds with respect to the Conditional Use Permit Amendment request as follows:

    a. The proposed addition of a second drive-thru lane at the site provides customers the option and convenience for obtaining drinks and meals without leaving their vehicle.

b. That granting the CUP Amendment with the addition of a second drive-thru lane at the site will not be materially detrimental to the public welfare and to other property in the vicinity, in that site is of sufficient size and shape to accommodate the proposed site plan change without adversely impacting existing parking or other site improvements. Moreover, the added drive-thru lane will create an overall positive improvement in the flow of traffic over existing conditions. Moreover, the proposed restaurant use is compatible with existing Commercial zoning designation of the site, surrounding development of commercial uses, and will not negatively impact any sensitive land uses in the surrounding area.

c. That the proposed with the addition of a second drive-thru lane at the subject site conforms to good zoning practice, in that the Municipal Code permits the aforementioned use in the "C-3" General Commercial zoning district of the Montclair East Specific Plan, subject to an Amendment to the original CUP approval. The CUP Amendment allows the City to place additional reasonable conditions to govern the overall operation of the restaurant as well as the drive- thru lanes so that general quality of the site and adjacent uses in maintained.

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 a wide range of retail and service uses within the retail commercial area, including restaurant uses.

3. Based upon substantial evidence presented to this Commission during the above-referenced public hearing on November 14, 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 development standards of the "C-3" General Commercial zone per the North Montclair Specific Plan.

b. At .69 - 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, with little to no adverse impacts.

c. The proposed exterior remodel design for the building on site is well done and up-to-date in appearance. When completed, this project will provide a much needed visual boost to the image of the Central Avenue.

C. Conditions.

4. Based upon the substantial evidence presented to this Commission during the above-referenced hearing on November 14, 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, C-3 General Commercial zoning district per MESP 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 a second drive thru lane, associated menu board/order speakers; and

   b. A Precise Plan of Design for an exterior remodel of Mc Donald's restaurant located at 9147 Central Avenue per 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 **$488.56**, 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. Restaurant dining room hours and drive thru hours shall be limited to 5:00 AM. to 10:00 AM. daily; however, the business operator may open the business later and/or close the business earlier within the stated range of operating hours.

11. 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.

12. The on-site manager of the reataurant 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.

13. 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. 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.

    f. 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."

14. Prior to the issuance of building permits, the applicant shall submit the following plans for plan check by the Building and Planning Divisions:

    a. An existing 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.

b. 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.

15. All automobile parking spaces shall be clearly delineated with double-line (e.g. "hairpin") striping.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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.

22. 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.

23. 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.

24. 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.

25. 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.

26. 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.

27. 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.

28. Prior to issuance of a final approval of the second drive-thru and issuance Certificate of Occupancy for the remodel, 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.

29. All landscaping and irrigation systems shall be maintained in accordance with the approved site and/or landscape plan to ensure water use efficiency.

30. 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.

31. 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.

32. 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.

33. 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

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

34. a. Submit four complete sets of plans including the following:
    b Site/Plot Plan;
    c. Floor Plan;
    d. Reflected Ceiling Plan
    e. Electrical Plans including the size of the main switch, number and size of service entrance conductors, panel schedules, and single line diagrams;

f. Plumbing plans, including isometrics, underground diagrams, water and waste diagram, fixtureunits, gas piping, and heating and air conditioning.

g. Provide an existing plan of the building including all walls to be demolished.

h. Waste recycling plan, recycling 50% of all construction debris

35. 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.

36. Submit detailed plans for all walls and fencing associated with the project.

37. Clearly indicate on submitted plans disabled-accessible path(s) of travel to the public right-of-way from the affected area of new construction or renovation. All required disabled-accessible parking lot signs, sidewalks, paths-of-travel, and curb cuts shall comply with the requirements of the California Building Code, Title 24. The maximum cross-slope on a sidewalk or path-of-travel shall not exceed two percent (2%).

38. Exposed raceways shall be prohibited on all building-mounted and freestanding signs. An architectural sign backing/raceway may be allowed on the commercial building subject to review and approval by the City Planner.

39. All mechanical devices and their component parts, such as air conditioners, evaporative coolers, exhaust fans, vents, transformers, or similar equipment, whether located on the ground or on the roof of the structure, shall be concealed on all sides from public view in a manner that is compatible with the architectural design of the building and to the satisfaction of the Planning Division.

40. Fire sprinkler risers and roof access ladders shall be relocated entirely within the enclosed buildings. Double-detector check facility shall be adequately screened by landscaping or an architectural screen wall.

41. All trash enclosures shall be constructed of a material consistent with the primary type and color of that used on the building. The construction of such trash enclosure(s) shall conform to City standards and shall have a solid roof complementary to the main building. Black-colored concrete shall be used for the trash enclosure floor and its apron.

42. The applicant and/or property owner shall be responsible for maintaining the building's signs, lighting, landscaping, and all improvements in good working order at all times. Any accumulation of trash, weeds, or debris on

the property shall be removed immediately so as not to present a public nuisance. Graffiti on the building or associated improvements shall be removed immediately by the applicant/property owner upon notification by the City.

43. Construction drawings submitted to the Building Division for plan check review shall comply with Montclair Security Ordinance No. 357, including, but not limited to, adherence to the following standards:

    a. The numerical address of the building shall be displayed in a maximum of two locations on the west and east-facing elevation as follows:

    b. Numerals shall be in a font acceptable to the Planning Division, minimum 10 inches in height, minimum 1½ inches in depth, and in a color that adequately contrasts with the background to which they are attached.

    c. The facility shall be provided with a minimum maintained illumination level of one (1) foot-candle from dusk until termination of business every business day. During all other hours of darkness, a minimum of one-quarter (.25) foot-candles of illumination shall be maintained at grade.

44. Underground Service Alert shall be notified 48 hours prior to any excavation at (800) 422-4133.

45. 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.

46. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.

47. A Certificate of Occupancy is required prior to occupancy of the subject building. Issuance of a Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.

<u>Environmental</u>

48. 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.

49. 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.

50. An updated Restaurant Wastewater Discharge Survey must be completed for the restaurant and submitted to the Environmental Manager, Nicole DeMoet, ndemoet@cityofmontclair.org, 909-625-9446.

51. The existing grease interceptor shall be replaced and relocated to an approval location as determined by the Environmental Manager and City Planner.

Fire

52. 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.

53. 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.

54. 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″.

55. 2013 CFC Chapter 33 conditions shall apply to this project during construction and demolition (2013 CFC 3301.1).

56. Develop and maintain an approved pre-fire plan in cooperation with the fire department (2013 CFC 3308.2).

57. Issuance of a Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.

58. Commercial/industrial occupancies shall install approved emergency lighting to provide adequate illumination in the event of any interruption of normal lighting.

59. 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).

60. Fire extinguisher location(s) to be determined by the Montclair Fire Department.

Police

61. 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.

62. 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.

63. 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.

64. 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.

65. 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.

66. 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.

67. 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.

68. 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 14TH DAY OF NOVEMBER, 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 14th day of November 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

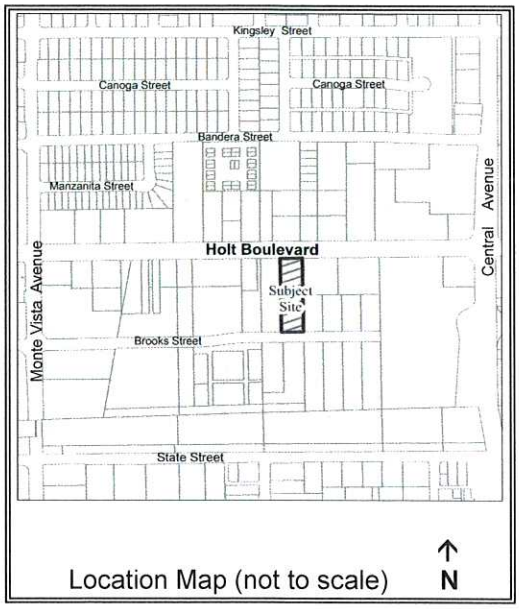
Z:\COMMDEV\SGUTIERREZ\CASES\2016\CASES\2016-17 PC RESOLUTION

CITY OF MONTCLAIR

PLANNING COMMISSION

MEETING DATE: 11/14/16 ***AGENDA ITEM 6.b***

Case No. 2016-27



Location Map (not to scale)

Application: A request for a Conditional Use Permit to allow a retail furniture store within an existing 20,000 square foot warehouse building at the above mentioned subject site.

Project Address: 5135 Holt Boulevard

Property Owner: Amin Khademi on behalf of Casa Linda Furniture

General Plan: Business Park

Zoning: "Business Park" per Holt Boulevard Specific Plan

Assessor Parcel No.: 1011-031-09

EXISTING SITE FEATURES/CONDITIONS

Structures: 20,000 square-foot concrete tilt-up building
5,000 square-foot interior mezzanine for storage only

Parking: 65 paved parking spaces, including two (2) disabled-accessible stalls

ADJACENT LAND USE DESIGNATIONS AND USES

	General Plan	*Zoning*	*Use of Property*
Site	Business Park	"Business Park" per Holt Boulevard Specific Plan	Furniture Manufacturing
North	General Commercial	"Commercial" per Holt Boulevard Specific Plan	Commercial building
South	Industrial	"Industrial" per Holt Boulevard Specific Plan	Commercial building
East	Business Park	"Business Park" per Holt Boulevard Specific Plan	Multi-tenant commercial center
West	General Commercial	"Commercial" per Holt Boulevard Specific Plan	Commercial building

Report on Item Number 6.b

PUBLIC HEARING – CASE NUMBER 2016-27

APPLICATION TYPE(S)	Conditional Use Permit
NAME OF APPLICANT	Amin Khademi on behalf of Casa Linda Furniture
LOCATION OF PROPERTY	5135 Holt Boulevard
GENERAL PLAN DESIGNATION	Business Park
ZONING DESIGNATION	"Business Park" per Holt Boulevard Specific Plan
EXISTING LAND USE	Furniture Manufacturer
ENVIRONMENTAL DETERMINATION	Categorically Exempt (Section 15301)
PROJECT PLANNER	Silvia Gutiérrez

Applicant's Proposal

The applicant is requesting approval of a Conditional Use Permit (CUP) to establish and operate a retail store for furniture, appliances, and home electronics at 5135 Holt Boulevard. The Holt Boulevard Specific Plan (hereinafter "Specific Plan"), requires a conditional use permit for a retail furniture stores in the "Business Park" land use district, where the subject property is located. The name of the new furniture store is Casa Linda Furniture.

The project would include modifications to the site including painting of the building, parking lot striping, and installation of landscaping. The Casa Linda Furniture retail showroom would operate seven days a week from 10:00 AM to 8:00 PM. The warehouse would operate seven days a week from 6:00 AM to 8:00 PM. The majority of the lease space would be used for display and retail sales activities, with the balance reserved for some inventory and a merchandise receiving area. There are no proposed additions to building floor area.

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

Casa Linda Furniture Store	
Use	***Square Footage***
Display and Sales Area	14,242.30 SF
Ground Level Storage	5,737.71SF
Mezzanine Storage	5,284.50 SF
Total	***25,284 square feet***

Approximately two delivery (20-foot-long box) trucks would arrive at 10:00 am daily with deliveries from the main warehouse located in the City of Commerce. Employees would assemble some of the furniture on site. The customer pick up area would average five times pickups per day on weekdays and eight to pickups per day on weekends. The business would employ approximately 20 total employees.

The applicant has proposed to re-strip the parking lot to add 22 parking stalls in the front (inclusive of two handicap stalls) and 43 parking stalls at the rear on the property.

A site plan and floor plan of the building is provided in the Commission packets for reference.

Background

- Casa Linda Furniture, began operations in 1981 and has stores in East Los Angeles, and the cities of Santa Ana (Orange County), Downey, and El Monte (Los Angeles County). This location would be its first store to open in San Bernardino County.

- According to the Holt Boulevard Specific Plan (hereinafter "Specific Plan"), land use activities such as retail furniture showrooms stores are allowed in the "Business Park" land use district, subject to the approval of a CUP.

- The subject site is approximately 55,757 square feet (1.28 acres) in area and is developed with a single-story, 20,000 square-foot building, that was constructed in 1978. A 5,285 square foot interior mezzanine for storage purposes only was constructed in the interior of the building in 2003.

- GH Wood and Design has operated at this location since 2000.

Planning Division Comments

Staff supports the proposed CUP to utilize the existing property and building as a retail furniture store. The new retail use of the building would enhance activities on Holt Boulevard and take advantage of direct street visibility. Moreover, the project would result is some important improvements to the site such as repainting of the building, parking lot striping, and restored landscaping that would contribute positively to the appearance of the street. On-site parking meets City requirements for the business and is readily available to employees and customers.

As mentioned above, the majority of the store would be devoted to sales and display area. While the store will have some interior storage capacity, the bulk of the store's products are kept at its main warehouse in the City of Commerce. Deliveries of merchandise would occur weekly as needed. Conditions of approval have been added to ensure that no outdoor storage occurs at the site and that the site is properly operated and maintained.

With conditions, staff can support the proposed use and does not foresee the aforementioned potential problems occurring on the site. Further, the applicant has indicated that they will monitor the rear area of the building, install exterior security cameras. If operated properly per the conditions of approval, staff believes the proposed retail furniture store will be an asset in continued efforts to revitalize the Holt Boulevard corridor.

Property Condition and Maintenance

The site and existing building are in generally sound condition. However, there are a few items in need of attention as part of this review. During site visits to the property, staff identified the following items in need of immediate attention by the applicant:

- Replace the existing eight (8) foot high chain link gate with an eight (8) foot high decorative metal fence and gate.
- Remove all outdoor storage and vehicles and miscellaneous items related to the existing use (GH Wood Design) and/or property owner.
- Replace dead or dying landscape materials in existing planters located on the site. Add mulch where mulch is low or absent.
- Repair irrigation system as needed.
- Replace existing light fixtures atop existing light pole at the front of the property with new fixtures which shield and orient light downward (90-degrees) to the parking lot surface. Light pole and fixtures shall be repainted with a color approved by the City Planner.
- Remove paint from window storefront to allow visibility into the new furniture showroom.
- Re-paint the entire building with a new color palette subject to City Planner review and approval.

Public Notice

This item was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on November 4, 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 proposal.

Conditional Use Permit Findings

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

a. The proposed use would not be detrimental to the public health, safety, or welfare of persons or property in the vicinity or the zoning district in which the use would be located because operation of the furniture store at the subject site, would be an appropriate use for Holt Boulevard and poses no impacts to residential or other sensitive uses on adjacent properties. The use of the property would be consistent with other commercial in the surrounding area.

b. The site is physically suitable for proposed retail use because the existing building is capable of accommodating the proposed retail furniture store use with only minor modifications as described in the staff report.

c. The design, location, size and operating characteristics of the proposed use are compatible with development in the vicinity. The proposed furniture store is complementary to the mix of commercial uses located on the Holt Boulevard corridor and would be an appropriate use for the existing commercial building and developed site.

d. The proposed use would be consistent with the General Plan and any applicable community or specific plan in that Business Park zoning designation of the Holt Boulevard Specific Plan allows retail uses subject to the approval of a CUP. The project would also be consistent with General Plan goals, objectives and policies related to providing a range of amenities and employment opportunities within the community.

Environmental Assessment

The project qualifies as a Class 1 exemption under Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, which exempts projects involving little to no expansion of existing structures or uses. The project does not involve an expansion of the existing structure or a fundamental change in the type of uses permitted by the underlying zoning code.

Planning Division Recommendation

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

1. Move that, based upon evidence submitted, the project is deemed exempt from the requirements of the California Environmental Quality Act (CEQA). Further, the project qualifies as a Class 1 exemption under State CEQA Guidelines Section 15301.

2. Move to approve Case No. 2016-27, approval of a Conditional Use Permit (CUP) to establish and operate a retail sales store for home furnishings, appliances, and

electronics at 5135 Holt Boulevard, subject to the required findings and conditions in attached Resolution Number 16-1877.

Respectfully Submitted,

Michael Diaz
City Planner

SG/lb

Attachments: Draft Resolution of Approval for Case No. 2016-27

c: Amin Khademi, property owner, 5135 Holt Boulevard
Fernando Morales, Designer, 8703 Terryton Avenue, Whittier, CA 90605

RESOLUTION NO. 16-1877

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING A CONDITIONAL USE PERMIT UNDER CASE NO. 2016-27 TO ALLOW A RETAIL FURNITURE, APPLIANCES, AND ELECTRONICS STORE IN THE "BUSINESS PARK" LAND USE DISTRICT OF THE HOLT BOULEVARD SPECIFIC PLAN IN AN EXISTING 20,000 SQUARE FOOT BUILDING LOCATED AT 5135 HOLT BOULEVARD (APN 1011-031-09-0000).

A. Recitals.

WHEREAS, Amin Khademi, property owner an application for a Conditional Use Permit (CUP) on behalf of Casa Linda Furniture on October 25, 2016, hereinafter referred to as "the application"; and

WHEREAS, the Holt Boulevard Specific Plan requires a CUP for the establishment of a retail furniture, appliance, and electronics store in the "Business Park" land use district upon the review of applicable development standards and land use compatibility with surrounding properties; and

WHEREAS, the application applies to the building that encompasses approximately 20,0000 square feet with a interior 5,000 square foot mezzanine located at 5135 Holt Boulevard; and

WHEREAS, staff has determined that the application meets the intent and requirements of the Holt Boulevard Specific Plan for the proposed use and the applicable development standards of the "Business Park" land use district; and

WHEREAS, a notice of public hearing was duly given and posted in the manner and for the time frame prescribed by law; and

WHEREAS, on November 14, 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.

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

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

2. Based upon the substantial evidence presented to this Commission during the above-referenced public hearing on November 14, 2016, including written and oral staff reports, together with public testimony, this Commission hereby finds as follows:

a. The proposed use would not be detrimental to the public health, safety, or welfare of persons or property in the vicinity or the zoning district in which the use would be located because operation of the furniture store at the subject site, would be an appropriate use for Holt Boulevard and poses no impacts to residential or other sensitive uses on adjacent properties. The use of the property would be consistent with other commercial in the surrounding area.

b. The site is physically suitable for proposed retail use because the existing building is capable of accommodating the proposed retail furniture store use with only minor modifications as described in the staff report.

c. The design, location, size and operating characteristics of the proposed use are compatible with development in the vicinity. The proposed furniture store is complementary to the mix of commercial uses located on the Holt Boulevard corridor and would be an appropriate use for the existing commercial building and developed site.

d. The proposed use would be consistent with the General Plan and any applicable community or specific plan in that Business Park zoning designation of the Holt Boulevard Specific Plan allows retail uses subject to the approval of a CUP. The project would also be consistent with General Plan goals, objectives and policies related to providing a range of amenities and employment opportunities within the community.

3. Planning Division staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines. The project qualifies as a Class 1 exemption under State CEQA Guidelines, Section 15301, which exempts projects involving little to no expansion of existing structures or uses. The project does not involve an expansion of the existing structure or a fundamental change in the type of uses permitted by the zoning code. In addition, there is no substantial evidence that the project may have a significant effect on the environment.

4. Based upon the findings and conclusions set forth in paragraphs 1, 2 and 3 above, this Commission hereby approves the application subject to each and every condition set forth below.

C. <u>Conditions</u>

Planning

1. This approval is for a Conditional Use Permit (CUP) to allow the establishment of a retail home furniture, appliance, and electronics store within an existing 20,000 square-foot, warehouse building located at 5135 Holt Boulevard, per the submitted plans. Any substantial changes to the operation, increase in floor area of the demised space, and/or physical location, shall require prior City approval.

2. CUP approval shall be valid for a period of six (6) months from the date of Planning Commission approval unless substantial progress has been made in property improvement or that the store is in operation with City issuance of a Certificate of Occupancy. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's CUP expiration date. Suspension of the approved use for a period of six months or more voids this CUP for the specified use.

3. 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 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 County administrative fee for filing a Notice of Exemption as required by the California Environmental Quality Act (CEQA).

   b. A check, in the amount of **$448.52**, 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.

4. Prior to the commencement of business activities associated with this approval, the business owner shall obtain a valid business license. For more information regarding the issuance of a business license, contact the City of Montclair Business License Technician at 909/625-9423.

5. The activities of the operation shall be limited to the permitted use of a retail furniture store selling new household furniture, appliances, and home electronics.

6. The floor plan of the retail furniture, appliance, and home electronics store shall substantially conform to the proposed floor plan submitted for this application at all times. Any expansion or significant change shall require City review and approval.

7. The site shall not be used as a collection facility for donated goods of any kind. The use of drop boxes/receptacles of any type shall not be allowed at this location.

8. Approved hours of operation for retail showroom would operate seven days a week from 10:00 AM to 8:00 PM. The warehouse would operate seven days a week from 6:00 AM to 8:00 PM. The business owner has the option of opening or closing anytime within these hours. Any extension of the hours of operation requires prior City approval.

9. No exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be allowed.

10. The business owner and/or staff shall maintain the area surrounding the business in a clean and orderly manner at all times. Litter and trash receptacles shall be located at convenient locations inside and outside establishments, and operators of such establishments shall remove trash and debris from its premises on a daily basis.

11. Exterior lighting of the parking areas shall be modified as necessary to provide a minimum intensity of at least one foot-candle of light throughout the parking area at all times in compliance with the Montclair Security Ordinance.

12. Prior to issuance of a business license and Certificate of Occupancy for the subject tenant space, the applicant shall:

    a. Prepare and submit a photometric analysis for the subject site to determine what, if any, modifications are necessary to the existing site lighting to comply with the Montclair Security Ordinance. All necessary lighting modifications shall be completed within 90 days of Planning Commission action on this CUP request.

    b. Remove all unshielded building-mounted luminaires at the exterior of the building located at 5135 Holt Boulevard. Should the applicant desire to replace any or all of these luminaires, the replacement fixtures shall be of a 90-degree, fully-cutoff style to the satisfaction of the City Planner.

    c. Prune existing Palm trees.

    d. Replace the existing eight (8) foot high chain link gate with an eight (8) foot high decorative metal fence and gate.

    e. Remove all outdoor storage and vehicles and miscellaneous items related to the existing use (GH Wood Design) and/or property owner.

f. Replace dead or dying landscape materials in existing planters located on the site. Add mulch where mulch is low or absent.

g. Repair irrigation system as needed.

h. Replace existing light fixtures atop existing light pole at the front of the property with new fixtures which shield and orient light downward (90-degrees) to the parking lot surface. Light pole and fixtures shall be repainted with a color approved by the City Planner.

i. Remove paint from window storefront to allow visibility into the new furniture showroom.

j. Re-paint the entire building with a new color palette subject to City Planner review and approval.

13. Within 90 days of the date of Planning Commission action on this CUP request, the applicant shall:

    a. Comply with all disabled-accessible parking requirements as determined by the Building Official.

    b. Repair all substandard paving and re-stripe the entire parking lot to City standards, including the incorporation of "hairpin-style" striping.

14. To ensure compliance with the conditions of the approval, a final inspection is required from the Building and Planning Divisions upon completion of construction and all improvements. The applicant shall contact the City to schedule an appointment for such inspections.

15. Changes to the exterior of the building (including paint) or site shall not be made without prior approval from the Planning Division.

16. No exterior signs are approved pursuant to this CUP approval. Prior to the installation of any business identification signs on the building or site, a sign plan shall be submitted to the Planning Division for review and approval pursuant to the applicable portions of the Montclair Sign Code and/or approved sign program for the center in which the subject lease space is located.

17. A clear unobstructed line of sight into the store shall be provided and maintained at all times, defined generally as the area extending between three feet above the ground to at least six feet above the ground. In addition to the requirements for window signs, the floor plan layout for the thrift store shall not allow the display of hanging, freestanding or stacked items, or the placement of storage racks/cabinets placed against windows that would block clear visibility into the premises from exterior windows by emergency personnel, as defined above and approved by the City Planner.

18. Window signs or displays shall comply with the following requirements:

    a. Temporary or permanent window signs, posters, banners, or other applied graphics shall not cover more than 25 percent of each window and shall not be placed in windows in a manner that will obstruct the view into the building by emergency personnel.

    b. Window sign placement shall not obstruct the view of the sales transaction area from inside and outside the building.

19. The use of temporary promotional banners shall comply with Chapter 11.72 of the Montclair Municipal Code. A permit shall be obtained prior to the display of any temporary promotional banner.

20. No video or arcade games, pinball machines, pool tables, jukeboxes, or similar devices shall be allowed within the subject lease space, with the exception of official State lottery machines.

21. No exterior public telephones, vending or other coin-operated machines, children's rides, collection boxes, etc., shall be located on the exterior of the subject lease space or the remainder of the site.

22. No customers shall be permitted to loiter or congregate outside of the facility. The operator shall post "No Loitering" signs within the parking areas pursuant to the Montclair Municipal Code.

23. Outside storage, outside display, or parking an inoperable vehicles, boats, or equipment on site at any time shall be strictly prohibited and will be subject to a fine and commencing of revocation hearing of this conditional use permit.

24. Company vehicles shall be parking behind the building within striped parking stalls.

25. The applicant and/or property owner shall ensure that a copy of the Planning Commission resolution or approval letter, 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.

26. 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.

27. A copy of the CUP approval letter with all conditions of approval relating to this application shall be conspicuously posted alongside the establishment's

Business License and Certificate of Occupancy, and shall be made available for viewing to any law enforcement officer, fire, building, or code enforcement inspector in the course of conducting an inspection of said premises.

28. Any violations of the conditions of approval may result in the revocation or modification of this permit, including the imposition of fines in the event that the use is determined to be a nuisance to surrounding properties, businesses or the community at large.

29. The applicant shall agree to defend, at his sole expense, any action brought against the City, its agents, officers, or employees because of the issuance of this approval; or, in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees for any damages, loss, court costs and attorney fees that the City, its agents, officers, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve applicant of his obligations under this condition.

30. This permit may be modified or revoked for failure to abide by these conditions or in the event that the use is determined to be a nuisance to surrounding properties, businesses or the community at large.

Building

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

31. 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

32. 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.

33. Submit detailed plans for all walls and fencing associated with the project.

34. Clearly indicate on submitted plans disabled-accessible path(s) of travel to the public right-of-way from the affected area of new construction or renovation. All required disabled-accessible parking lot signs, sidewalks, paths-of-travel, and curb cuts shall comply with the requirements of the California Building Code, Title 24. The maximum cross-slope on a sidewalk or path-of-travel shall not exceed two percent (2%).

35. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.

36. Exposed raceways shall be prohibited on all building-mounted and freestanding signs. An architectural sign backing/raceway may be allowed on the commercial building subject to review and approval by the City Planner.

37. Security gates to the rear of the building shall be equipped with Medeco locks or other acceptable devices to allow access by emergency personnel and utility providers at all times. Contact Robert Hargett at (909) 447-3554 for keying information.

38. All mechanical devices and their component parts, such as air conditioners, evaporative coolers, exhaust fans, vents, transformers, or similar equipment, whether located on the ground or on the roof of the structure, shall be concealed on all sides from public view in a manner that is compatible with the architectural design of the building and to the satisfaction of the Planning Division.

39. All roof-mounted equipment, satellite dish antennas, and other similar apparatus shall be screened from public view in a manner incorporated into the architectural design of the building to the satisfaction of the Planning Division.

40. Fire sprinkler risers and roof access ladders shall be located entirely within the enclosed buildings. Double-detector check facility shall be adequately screened by landscaping or an architectural screen wall.

41. All trash enclosures shall be constructed of a material consistent with the primary type and color of that used on the building. The construction of such trash enclosure(s) shall conform to City standards and shall have a solid roof complementary to the main building. Black-colored concrete shall be used for the trash enclosure floor and its apron.

42. The applicant and/or property owner shall be responsible for maintaining the building's signs, lighting, landscaping, and all improvements in good working order at all times. Any accumulation of trash, weeds, or debris on the property shall be removed immediately so as not to present a public nuisance. Graffiti on the building or associated improvements shall be removed immediately by the applicant/property owner upon notification by the City.

43. Construction drawings submitted to the Building Division for plan check review shall comply with Montclair Security Ordinance No. 357, including, but not limited to, adherence to the following standards:

    a. The numerical address of the building shall be displayed in a maximum of two locations on the North-facing elevation as follows: Numerals shall be in a font acceptable to the Planning Division, minimum 10 inches in height, minimum 1½ inches in depth, and in a color that adequately contrasts with the background to which they are attached.

    b. The facility shall be provided with a minimum maintained illumination level of one (1) foot-candle from dusk until termination of business every business day. During all other hours of darkness, a minimum of one quarter (.25) foot-candles of illumination shall be maintained at grade.

    c. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.

    d. Regional Sewerage Supplemental Capital Outlay fees are required in accordance with Section 9.20.440 of the Montclair Municipal Code and the Inland Empire Utilities Agency (IEUA).

    e. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.

44. An approved, emergency keyed access system shall be required to facilitate access by Fire Department personnel in the event of an emergency during non-business hours. Forms are available at Montclair Fire Department Headquarters, 8901 Monte Vista Avenue, for those occupancies requiring such a system.

45. A Certificate of Occupancy is required prior to occupancy of the subject building. Issuance of a Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.

46. Temporary construction and storage trailers placed on the property shall first obtain approval from the Planning and Building Divisions. If any trailers will include uses for public access, handicap accessibility requirements shall apply. Before any trailer is set in its location, obtain all permits from the building division. Plans and structural calculations will be required for the tie-down devices. Trailers used for public use (and not used for construction only) are required to be handicapped accessible. The trailer will requires access to the facility by way of ramps which comply with the California Building Code (CBC) 2013 edition, Chapter 11B, in addition to access to each feature of the trailer.

Fire

47. 1.1 General plan review. 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.

48. 1.2 Permits required. 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).

49. 1.3 Plan submittal. 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)

50. 1.4 Construction documents for fire protection systems. 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)

51. 1.5 Plan Stamp. Contractor's license number, including expiration date, wet stamp and signature of the contactor licensee on each plan (California Business & Professions Code Sec. 7031.5).

52. 1.6 Scope of work. Provide an accurate description of the scope of work for the project.

53. 1.7 Dimensions. Show all exterior and interior building dimensions on the plans.

54. 1.8 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.

55. 1.9 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.

56. 1.10 Fire Department Fees. All fees are required to paid in full prior to any permit issuance.

57. 2.3 Fire apparatus road dimensions. 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)

58. 2.5 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.)

59. 2.5.1 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)

60. 2.6 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)

61. 2.11 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). 2.28 Residential Address. Numbers must be 4" tall and automatically illuminated and facing the street. (CFC 2013 505.1)

62. 2.29 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)

63. 3.3 Required fire flow. An approved water supply capable of providing the required fire flow for fire protection shall be provided (2013 CFC 508.1).

64. 3.4 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

65. 3.4.1 Exception: A reduction in required fire flow of up to 50 percent, as approved, is allowed when the building is provided with an automatic sprinkler system installed in accordance with 2013 CFC Section 903.3.1.1, 903.3.1.2 or 903.3.1.3. The resulting fire flow shall not be less than 1,500 gallons per minute for the prescribed duration as specified in Table B105.1

66. 3.5 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.

67. 3.11 Underground Fire Service. Minimum underground fire service supply pipe shall be 6 inches in diameter. (MMC 10.28.060K(5)

68. 4.3 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)

69. Underneath the proposed mezzanine shall be sprinklered. Submit three sets of Sprinkler plans to the Montclair Fire Department.

70. 4.5 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)

71. 4.7 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.

72. 4.9 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.

73. 5.1 General. 2013 CFC Chapter 33 conditions shall apply to this project during construction and demolition (2013 CFC 3301.1).

74. 5.2 Pre-fire plans. Develop and maintain an approved pre-fire plan in cooperation with the fire department (2013 CFC 3308.2).

75. 5.3 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).

76. 5.4 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)

77. 5.5 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 assess shall be maintained until permanent fire apparatus access roads are available (2013 CFC 1410.1).

78. 5.6 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).

79. 5.7 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).

80. 5.8 Hot work operations. Welding, cutting, open torches and other hot work operations and equipment shall comply with 2013 CFC Chapter 26 section 2601.1

81. 5.9 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).

82. 5.10 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).

83. 5.11 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).

Police

84. 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 the proposed 420 square foot outddor dining area. Such system 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 by 1080 pixels, otherwise known as 1080p. IR (night vision) is preferred; however, cameras shall at minimum be capable of low-light operation.

85. 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.

86. Alarm systems are encouraged to complement 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 14TH DAY OF NOVEMBER, 2016.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____
Tenice Johnson, Chair

ATTEST: _____
Michael Dial, 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 14th day of November, 2016, by the following vote, to-wit:

AYES:

NOES:

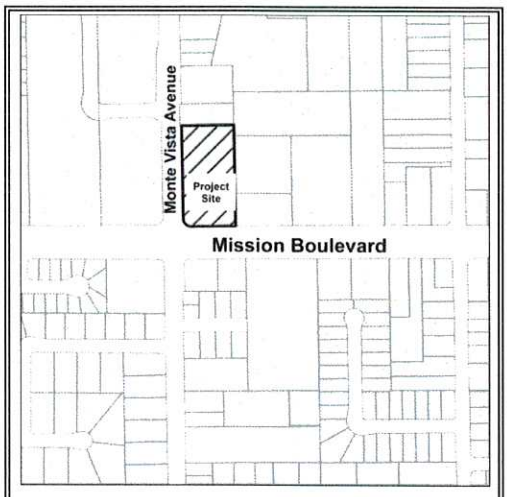
ABSENT:

CITY OF MONTCLAIR

PLANNING COMMISSION

MEETING DATE: 11/14/16 ***AGENDA ITEM 6.c***

Case No. 2016-19



Location Map (NTS) ↑ N

Application: A Precise Plan of Design (PPD) for a proposed 54,287 square-foot industrial/warehouse building and associated site improvements on an undeveloped 2.54-acre site.

Project Location: NEC of Mission Boulevard and Monte Vista Avenue.

Property Owner: 4910 Mission Blvd, LLC

General Plan: Commercial

Zoning: MIP – Manufacturing Industrial Park

Assessor Parcel No.: 1011-311-13

Adjacent Land Use Designations and Existing Uses			
	General Plan	*Zoning*	*Existing Use of Property*
Site	Commercial	MIP Manufacturing Industrial Park	Vacant
North	Public/Quasi Public	M-1 Limited Manufacturing	Fire Station 2 and City Yard
East	Commercial	MIP Manufacturing Industrial Park	Vacant
South	Commercial	C-2 Restricted	Auto Sales, Retail Uses, Residential
West	Commercial	MIP Manufacturing Industrial Park	Vacant

Report on Item Number 6.c

CASE NUMBER 2016-19

APPLICATION TYPE(S)	Precise Plan of Design
NAME OF APPLICANT	4910 Mission Blvd, LLC
LOCATION OF PROPERTY	NEC of Mission Boulevard and Monte Vista Avenue
GENERAL PLAN DESIGNATION	Commercial
ZONING DESIGNATION	MIP – Manufacturing Industrial Park
EXISTING LAND USE	Vacant
ENVIRONMENTAL DETERMINATION	Categorically Exempt pursuant to Sections 15332 of CEQA Guidelines
PROJECT PLANNER	Michael Diaz

Project Proposal

The proposed project involves the development of a new 54,287 square-foot industrial/warehouse building on a vacant 2.54-acre site at the northeast corner of Mission Boulevard and Monte Vista Avenue. 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:

Components of the Proposed Warehouse Building	
Use	***Square Footage***
Warehouse Area	50,292 SF
Ground Office Space	2,360 SF
Mezzanine Office Space	1,635 SF
Total	***54,287 square feet***

The office area identified on the plans is at the southeast corner of the proposed building and includes offices, a conference room, break rooms, restrooms, and office storage.

Surface parking for 67 spaces (including four (4) disabled-accessible parking spaces) is provided on the site, which will be located on the east and north side of the building. At the northeast corner of the building, four (4) dock doors are provided. Main access to the site will be from the south (front) of the building from Mission Boulevard, and secondarily, from the west off Monte Vista Avenue.

A six- to eight-foot high decorative screen wall is proposed along the east boundary of the site and along the north property line where applicable. The wall is intended to secure and screen the rear portion of the site. A sliding and swinging gate will regulate access to the site from both Monte Vista Avenue and Mission Boulevard. A covered trash enclosure is also proposed on the east side of the building.

Building Design

The rectangular shaped 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. Windows are concentrated on the front (south) side of the building facing Mission Boulevard where the main entry of the office portion of the building is located. The proposed overall height of the building is 38 feet as measured to the top of the tallest wall planes of the structure, with an average height of 35'-6".

On the street facing (Mission Blvd and Monte Vista Avenue) sides of the building, aluminum commercial storefront is also used for architectural interest to replicate the illusion of functional windows along these frontages. An additional architectural element used in the design is a horizontal metal projection (called a "brisole") placed near the top of the vertically oriented windows (real and faux) and over some door openings at other locations. The "brisole" element is used for aesthetic and functional (sunlight deflector) purposes in order to provide intended to add visual interest to help break up the length of the building walls.

Proposed colors for the new building are warm tones of taupe, tan, and gray. Storefront windows and doors would be anodized aluminum.

Landscape Plan

The primary landscape areas for the project are located on the south and west 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 California Sycamores (Plantanus racemosa), Acacia, Carrot Wood, and Chinese Flame trees.

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

Background

- The subject site is generally rectangular in shape with two (2) street frontages – Mission Boulevard (front) and Monte Vista Avenue (street side).

- 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 fully developed public streets.

- 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 to be appropriately situated on the subject site. The 2.54-acre property has sufficient size and shape to accommodate the proposed project and is situated so as to allow direct and convenient access to existing streets and the fully developed intersection of Monte Vista Avenue and Mission Boulevard. 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.

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 building meets the required 25-foot setback from each street and the rear of the building is 67 feet from the north property line.

At 38 feet in height, the building is lower than the 50-foot height limit of the MIP zone. The project also provides 67 on-site parking spaces, which is one (1) more than the 66 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(es) 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. Although the Mission Boulevard elevation is the front of the building and has the most detail, architectural interest is wrapped around to the Monte Vista Avenue frontage. The proposed color palette of warm tones of taupe, tan, and gray are appropriate. When completed, the new industrial/warehouse building will contribute to the steady visual and physical improvement of Mission Boulevard and 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. With the exception of skylights and required vents, roof top equipment (e.g., air conditioners) will be limited. Staff has added a condition of approval requiring that any rooftop equipment be fully screened from view to the greatest extent possible, as determined by the City Planner.

With regard to landscaping, the selected plant materials are generally appropriate and appear to be evenly distributed around the site where planter areas are proposed. Eventually, the height of the trees will help to lessen the height of the building. 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 during the plan check phase 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 the proposed resolution of approval.

Public Notice

None required for a Precise Plan and Design (PPD) application, where no specific entitlements (e.g., variance or CUP) beyond design review is required.

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 of the State CEQA Guidelines, which covers infill projects in significantly developed areas. 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, 54,287 square-foot industrial/warehouse building and associated site improvements on the 2.54-acre site at the northeast corner of Mission Boulevard and Monte Vista Avenue to be well designed and compatible with surrounding land uses. Staff further recommends the Planning Commission approve the proposed project 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 site improvements are categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 of the State CEQA Guidelines, which covers infill projects in significantly developed areas. 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 and newer industrial developments and uses in the vicinity.

B. Approve the Precise Plan of Design request for the site plan, elevations, conceptual landscape plan, colors and materials associated with the proposed 54,287 square-foot industrial/warehouse building and associated site development improvements on the 2.54-acre site at the northeast corner of Mission Boulevard and Monte Vista Avenue, per the submitted plans and as described in the staff report, subject to conditions of approval contained in Planning Commission Resolution No. 16-1878.

Respectfully Submitted,

Michael Diaz
City Planner

MD/le

Attachments: Draft Resolution No. 16-1878

c: Ash Kumar, 4668 Mission Boulevard, Montclair, CA 91763
Mark Pekarek, Pekarek-Crandell, Inc., 31411 Camino Capistrano, Suite 300, San Juan Capistrano, CA 92675

Z:\COMMDEV\MD\CASES\2016-19 INDUSTRIAL/WAREHOUSE BLDG /2016-19 PC 1RPT

RESOLUTION NO. 16-1878

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING A PRECISE PLAN OF DESIGN UNDER CASE NO. 2016-19 FOR THE SITE PLAN, FLOOR PLANS, ELEVATIONS, COLORS, MATERIALS, AND CONCEPTUAL LANDSCAPE PLAN FOR A 54,287 SQUARE-FOOT INDUSTRIAL WAREHOUSE BUILDING AT THE NORTHEAST CORNER OF MISSION BOULEVARD AND MONTE VISTA AVENUE (APN 1011-311-13).

WHEREAS, on September 14, 2016, an application for a Precise Plan of Design (PPD) was filed under Case No. 2016-19, to allow the development of a single-story, 54,287 square-foot industrial/warehouse building and surface parking at the northeast corner of Mission Boulevard and Monte Vista Avenue; and

WHEREAS, the subject property is approximately 2.54-acres in size and undeveloped; and

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

WHEREAS,The property in question has direct access to Mission Boulevard and Monte Vista 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 67 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 Mission Boulevard and Monte Vista Avenue; and

WHEREAS, staff has determined that the proposal meets the intent and applicable development standards of the MIP (Manufacturing Industrial) zoning district; 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 of the State CEQA Guidelines, which covers infill projects in significantly developed areas; 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 of the State CEQA Guidelines, and based on its own independent judgment, concurs with staff's determination of said exemption and finding of no significant effect on the environment; and

WHEREAS, no public notice for a Precise Plan of Design (PPD) is required; and

WHEREAS, on November 14, 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.

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

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

2. Based upon the substantial evidence presented to this Commission during the above-referenced hearing on November 14, 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 a Precise Plan of Design for the request for the site plan, elevations, conceptual landscape plan, colors and materials associated with the proposed 54,287 square-foot industrial/warehouse building and associated site development improvements on the 2.54-acre site at the northeast corner of Mission Boulevard and Monte Vista Avenue, per the submitted plans and as described in the staff report.

2. PPD approval shall be valid for a period of one year and shall automatically expire on the anniversary date of Planning Commission approval unless the applicant is diligently pursuing building plan check 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.

3. 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 significantly different from the approved plan shall be referred to the Planning Commission for review and approval.

4. 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.

5. Within five (5) days of approval by the Planning Commission, the applicant shall submit to the Planning Division 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).

6. 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.

7. 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.

    d. No temporary or permanent residential living quarters shall be established on the premises. Indications that a property is being used as temporary or permanent residential living quarters include actions such as spending significant time at the location on more than one day, sleeping at the location, and performing other life activities at the location repeatedly. The shower on the second level shall be deleted from the plans and reviewed by the City Planner for compliance with this condition.

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. Each and every 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.

10. The applicant shall continue to work with 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.

11. Prior to the issuance of building permits, the applicant shall provide the following on 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 wall and/or metal fence and gates shall be complementary to overall appearance and colors 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 interior side or rear property line as adjusted for existing grade conditions and subject to the satisfaction of the City Planner. The use of chain-link

fencing and security deterrents such as barbed or concertina wire are expressly prohibited.

iv. Block wall shall incorporate a finish cap piece. Unfinished gray colored masonry block is prohibited. However, gray colored split face block is acceptable.

v. 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.

12. 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.

13. All landscaping and irrigation systems shall be maintained in accordance with the approved site and/or landscape plan to ensure water use efficiency.

14. 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.

15. 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.

16. 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.

17. 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.

18. All automobile parking spaces shall be clearly delineated with double-line (e.g., "hairpin") striping.

19. No outdoor pay telephones or vending machines shall be installed or used on the property.

20. 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.

21. 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 above-mentioned sign(s) to the Planning and Building Divisions for review, approval, and issuance of all necessary permits prior to installation of any sign(s).

22. Temporary promotional signs shall comply with Chapter 11.72 of the Montclair Municipal Code. Temporary banners for the purpose of announcing a grand opening or promotional event shall require a banner permit from the Planning Division prior to installation.

23. No portable flags, pennants, spinners, painted-on signs, off-premise signs, trailer-mounted electronic sign/message boards or other similar types of portable signs shall be allowed.

24. On-site directory signs or directional signs shall be submitted for review and approval of the City Planner.

25. 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.

26. 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.

27. 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.

28. 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.

29. Access to the roof of the building shall be from within the structure and not by means of roof access ladders mounted to the exterior of the building.

30. 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.

31. 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.

32. 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.

33. Any graffiti shall be removed within 24 hours of discovery or notification by the City. The paint utilized to cover the graffiti shall match the affected structure. In the event that the paint finish of the abated area is noticeably distinguishable from the balance of the surface area of the building side just abated for graffiti, or noticeably distinguishable from the rest of the structure, the entire surface area of either the abated side or of the structure shall be painted to minimize the disparity.

34. The applicant/property owner shall, upon notification by the City, restore and/or replace any glazing, architectural metal panels, or other exterior design feature/ material that have been permanently damaged by graffiti, etching, or by other means.

35. 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.

36. 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

37. 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

38. Submit two sets of structural calculations, if required and two sets energy conservation calculations.

39. Architect's/Engineer's stamp and "wet" signature are required prior to plan check approval.

40. 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.

41. Contractors must show proof of State and City licenses and Workers' Compensation coverage to the City prior to permit issuance.

42. Separate permits are required for fencing and/or walls. Double wall conditions, which have been created by an adjacent property line will not be allowed.

43. All utility services to the project shall be installed underground.

44. Plans shall be submitted for plan check and approved prior to construction. All plans shall be marked with the project file number, APN, complete scope of work, owners name and address, and stamped and signed by the registered professional who drew the plans.

45. Construction activity shall only be permitted from the hours of 7:00 a.m. to 8:00 p.m. daily.

46. 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.

47. Construct trash enclosure(s) per City Standard (available at the Building Division's public counter) or a plan acceptable to the Planning Division.

48. Electrical and fire suppression service shall rise within the interior of the building(s). Roof ladders shall also be located entirely inside the building.

49. 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.

50. 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%).

51. 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 building elevation approved by the Planning Director. 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 every day.
    c. Install an approved emergency lighting to provide adequate illumination automatically in the event of an interruption of electrical service.

52. 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.

53. Prior to the issuance of a Certificate of Occupancy, the applicant shall:

    a. Complete all on- and off-site improvements.
    b. Install all disabled-accessible parking stalls and parking lot signage.
    c. A grading certification shall be submitted to the Building Official, stamped and signed by the Engineer of Record stating that all elevations are accurate to the plans and that all requirements of the grading plan have been followed and are complete.

54. No temporary construction or sales trailer put on the property for use of office or sales without 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. It appears that a parcel merger may be required. Developer shall comply with all requirements of the Subdivision Map Act and the Montclair Municipal Code.

63. Payment of transportation-related development impact fees is required. Fees shall be assessed at the rate in effect at the time the fees are paid.

64. Additional right-of-way dedication is required along Monte Vista Avenue at the northerly portion of the property (shown on Assessor's records as APN 1011-311-14).

65. All internal and external sidewalks shall be ADA compliant and be made in a state of good repair.

66. Streetlights complying with City of Montclair standards shall be added along the easterly frontage on Monte Vista Avenue. Streetlights will be owned and maintained by Southern California Edison. The minimum lighting level and spacing shall be to the satisfaction of the City Engineer. A streetlight plan shall be prepared.

67. 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.

68. 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.

69. Payment of all outstanding sewer reimbursement fees or assessments as imposed by a district or reimbursement agreement, if any.

70. Payment of Regional Sewerage Capital Outlay fees as specified in the Montclair Municipal Code and by Inland Empire Utilities Agency.

71. On-site sewers and sewer laterals to sewer mains shall be constructed per California Building Code and City of Montclair Building Division requirements and shall be privately maintained. All sewer design shall be subject to the approval of the City Engineer.

72. Discharge of wastewater into the sewer collection system shall conform to all requirements of the Montclair Municipal Code.

73. 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.

74. 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. Modifications to existing drive approaches (relocations, closures, widening, etc.) shall be shown on the grading plan.

75. Existing irrigation and landscaping along the frontage of the property on Monte Vista Avenue and Mission Boulevard is currently maintained by the City of Montclair. These shall be converted to private ownership and tied into the on-site irrigation system.

76. 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.

77. All drainage facilities shall comply with requirements of the approved WQMP.

78. 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.

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

Environmental

80. 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.

81. 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

82. General plan review. 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.

83. Permits required. 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).

84. Plan submittal. Provide four 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)

85. Construction documents for fire protection systems. 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)

86. Plan Stamp. Contractor's license number, including expiration date, wet stamp and signature of the contactor licensee on each plan (California Business & Professions Code Sec. 7031.5).

87. Scope of work. Provide an accurate description of the scope of work for the project.

88. Dimensions. Show all exterior and interior building dimensions on the plans.

89. Plan check application. The plan check application can be found on the City of Montclair web site: http://www.cityofmontclair.org and clicking on following Departments, Fire, Fire Prevention, Plan check and permit process.

90. 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.

91. Fire Department Fees. All fees are required to paid in full prior to any permit issuance.

92. 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).

93. 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.

94. 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.

95. Fire apparatus road dimensions. 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)

96. 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).

97. 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.)

98. 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)

99. 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)

100. 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)

101. 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)

102. 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)

103. Drainage. When subject to run-off damage, the fire chief is authorized to require approved drainage. (CFC 2013 D103.8)

104. 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).

105. 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).

106. 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).

107. 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)

108. 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).

109. 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).

110. 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

111. 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.

112. Security gates; minimum setback. Security gates are required to be setback 45 feet from the public roadway curb line.

113. 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).

114. 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).

115. Roof access; parapet ladders. Install parapet ladders and emblems. Locations to be determined by the fire department during plan check.

116. 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)

117. 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

118. 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)

119. Public Water System. Must meet all city water standards. Contact the Water Department. 909-624-0035

120. Placement of Fire Hydrants. Exact number, location, and design of hydrants shall be determined by Fire Department.

121. 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.

122. Required fire flow. An approved water supply capable of providing the required fire flow for fire protection shall be provided (2013 CFC 508.1).

123. 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

124. 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

125. 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.

126. 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).

127. Check valves. The installation of check valves is required between fire hydrants and Fire Department Connections (FDC).

128. Pipe size. Show pipe size of the fire water system on the plans.

129. 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)

130. Fire hydrants. Provide a site plan showing all fire hydrants and distances to nearest fire hydrants in all directions along fire apparatus access roads.

131. Underground Fire Service. Minimum underground fire service supply pipe shall be 6 inches in diameter. (MMC 10.28.060K(5)

132. 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 to the Montclair Fire Department for approval prior to starting work.

133. 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 to the Montclair Fire Department for approval prior to starting work.

134. Fire Sprinklers for Commercial. Every Structure, except Group R, Division 3, and Group R, Division 4 occupancies, hereafter remodeled, rebuilt, or renovated where such cost exceeds fifty percent (50%) of the assessed valuation as determined by the San Bernardino County Tax Assessor shall have an approved automatic fire sprinkler system installed throughout. (MMC 10.28.06 J(2)

135. 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)

136. 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.

137. 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 detection system plans are required to be a separate plan submittal with a completed application and all fees pre-paid.

138. General. 2013 CFC Chapter 33 conditions shall apply to this project during construction and demolition (2013 CFC 3301.1).

139. Pre-fire plans. Develop and maintain an approved pre-fire plan in cooperation with the fire department (2013 CFC 3308.2).

140. 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).

141. 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)

142. 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 assess shall be maintained until permanent fire apparatus access roads are available (2013 CFC 1410.1).

143. 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).

144. 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).

145. Hot work operations. Welding, cutting, open torches and other hot work operations and equipment shall comply with 2013 CFC Chapter 26 section 2601.1

146. 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).

147. 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).

148. 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).

Police

149. 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.

150. 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 14TH DAY OF NOVEMBER, 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 14th day of November 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

Z:\COMMDEV\MDIAZ\CASES\2016-19 PC RESOLUTION