



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

REGULAR ADJOURNED MEETING  
Monday, January 14, 2019  
7:00 p.m.

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

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**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

Chair Tenice Johnson, Vice Chair Luis Flores, Commissioner Manny Martinez, Commissioner Barry Rowley and Commissioner Sergio Sahagun

**4. APPROVAL OF MINUTES**

The minutes of the November 13, 2018 Planning Commission meeting are presented for consideration.

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

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

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

## **6. AGENDA ITEMS**

### **a. PUBLIC HEARING - CASE NUMBER 2018-27**

Project Address: SEC Arrow Highway and Vernon Avenue  
Project Applicant: Steven and Stella Grigolla  
Project Planner: Silvia Gutierrez, Associate Planner  
Request: Precise Plan of Design for a proposed office/warehouse building and associated site improvements

## **7. INFORMATION ITEMS**

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

## **8. PUBLIC INSPECTION OF MATERIALS**

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

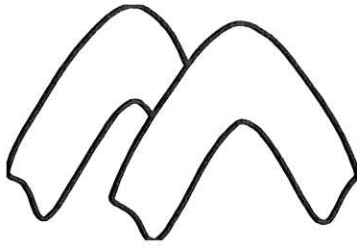
## **9. ADJOURNMENT**

The City of Montclair Planning Commission meeting is adjourned to the regularly scheduled meeting of January 28, 2019 at 7:00 p.m. in the Council Chambers, 5111 Benito Street, Montclair, California.

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### **CERTIFICATION OF AGENDA POSTING**

I, Laura Embree, Administrative Secretary for the City of Montclair, hereby certify that a copy of this agenda has been posted on the bulletin board adjacent to the south door of Montclair City Hall on January 10, 2019.



CITY OF MONTCLAIR  
**PLANNING COMMISSION**

**MEETING DATE: 1/14/2019**

**AGENDA ITEM 6a.**

**Case No. 2018-27**

**Application:** A Precise Plan of Design (PPD) for a proposed 5,795-square-foot two-story, office/warehouse building, and associated site improvements on a 0.46-acre vacant site. The project also includes a variance request to reduce the required street front setback from 35 feet to 25 feet (from Arrow Highway)

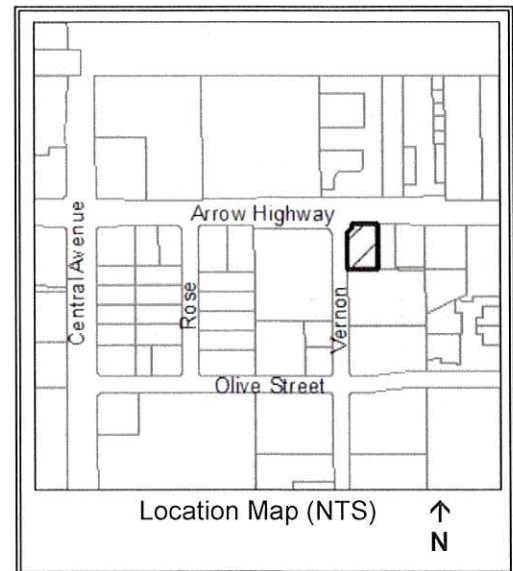
**Project Location:** SEC of Arrow Highway and Vernon Avenue

**Property Owner:** Steven and Stella Grigolla

**General Plan:** Industrial Park

**Zoning:** Manufacturing Industrial Park (MIP) per North Montclair Specific Plan

**Assessor Parcel No.:** 1008-042-08-0000



Adjacent Land Use Designations and Existing Uses			
	<i>General Plan</i>	<i>Zoning</i>	<i>Existing Use of Property</i>
<b>Site</b>	Industrial Park	Manufacturing Industrial Park North Montclair Specific Plan	Vacant Lot
<b>North</b>	Industrial Park	Manufacturing Industrial Park North Montclair Specific Plan	Industrial and Commercial Development
<b>East</b>	Industrial Park	Manufacturing Industrial Park North Montclair Specific Plan	Auto Repair Facility
<b>South</b>	Industrial Park	Manufacturing Industrial Park North Montclair Specific Plan	Multi-tenant Industrial and Commercial Development
<b>West</b>	Business Park	Manufacturing Industrial Park North Montclair Specific Plan	Multi-tenant Industrial and Commercial Development

## Report on Item Number 6.a

### CASE NUMBER 2018-27

APPLICATION TYPE(S)	Precise Plan of Design Variance
NAME OF APPLICANT	Steven and Stella Grigolla
LOCATION OF PROPERTY	SEC Arrow Highway and Vernon Avenue
GENERAL PLAN DESIGNATION	Industrial Park
ZONING DESIGNATION	Manufacturing Industrial Park (MIP) - North Montclair Specific Plan
EXISTING LAND USE	Vacant
ENVIRONMENTAL DETERMINATION	Categorically Exempt pursuant to Sections 15332 and 15305(a) of CEQA Guidelines
PROJECT PLANNER	Silvia Gutiérrez

### **Project Description**

The applicant is requesting approval of a Precise Plan of Design (PPD) to develop the existing .46-acre site with one two-story office/warehouse building and associated site improvements. Construction activities for the project would consist of site preparation, building construction, paving, and landscaping. A setback variance is also requested and is described further below.

The proposed project includes the construction of one building totaling approximately 5,795 square feet in area, broken down as follows:

<b>Components of the Proposed Office/Warehouse Building</b>	
<b><i>Use</i></b>	<b><i>Square Footage</i></b>
Ground Office Space	1,494 sq.ft.
Second Floor Office Space	1,435 sq.ft.
Warehouse Area (no mezzanine)	2,866 sq.ft.
<b><i>Total Building</i></b>	<b><i>5,795± square feet</i></b>

The office area identified on the plans at the northwest corner of the building will include office areas, a reception lobby, a kitchen/ conference room, restrooms, a stairway, and office storage.



The office/warehouse building is proposed for use as an administrative office and enclosed storage within a building by SJ Grigolla Construction Co. which would relocate from La Verne. The applicant would utilize the warehouse to store hardware, tools, plans, and small forming materials. A total of 16 standard-size surface parking spaces (including one disabled-accessible parking space) are provided on the site behind the new building. No outside storage of materials or large vehicles, storage containers, or materials is allowed on the site. Company construction vehicles and equipment will be stored on a separate property owned by the applicant where a contractor's yard can be accommodated.

The overall height of the new building is 26 feet as measured to the top of the warehouse area and steps down slightly towards the corner where the height of the office area is proposed to be 22 feet tall.

### **Site Access, Fence, and Walls**

Access to the site and parking area would be from a new 28-foot wide drive approach on Vernon Avenue. An existing driveway approach on Arrow Highway would be removed and replaced with new curb, gutter, and sidewalk.

The rear of the property will be secured by means of a new 8-foot high split face or colored block wall located on the east and south property lines. A driveway into the rear portion of the property (along Vernon Avenue) would be secured by an 8 foot-high screen wall and sliding gate that would remain open during business hours and locked every night to ensure security of the property. Appropriate site lighting will be required as a condition of approval.

### **Building Design**

The architectural style of the office/warehouse building is contemporary in character and reminiscent of a mid-century design. The proposed office/warehouse building exterior walls are designed with varied roof heights and use of distinctive materials to add depth and architectural visual interest. The office/warehouse building exterior facade as proposed is comprised of a combination of 8" x 8" "sugar cube" charcoal split face block, smooth stucco and composite horizontal "wood look" siding. Horizontal reglets are utilized to add further visual interest and help control cracking in the stucco surfaces.

Fixed commercial-grade windows are used on all sides of the building, with additional windows used to highlight the front entry and corner of the building facing Arrow Highway and Vernon Avenue. Proposed colors for the new building are neutral tones of gray with brown cladding. A dark green trellis is proposed along the west and north sides of the office to add a visual pop of color and additional design interest to the building. Windows would have a medium bronzed-toned tint.

Sign details are not part of this application, but are shown on the building elevations as a proposed concept. Signage will be reviewed and approved administratively by staff.

## **Landscape Plan**

Landscaping for the project is located primarily within the required setbacks located on the north and west sides of the property. New trees and shrubs are proposed for these areas. 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. The Water Quality Management Plan (WQMP) prepared for the project shows that all areas of the site drain to the south into an underground infiltration basin.

The landscape plan is also designed to comply with the City's Water Efficient and Landscape Conservation ordinance and does not propose to use turf as part of the design. The landscaping plan features a diagonal grid pattern that utilizes decorative pavers, round smooth cobble decomposed granite throughout the front setback areas of the site in conjunction with proposed landscaping. As part of the design, small areas of artificial turf are incorporated into the landscape design scheme.

Trees proposed for the project include three (3) Swan Hill Olive (*Olea*) Trees along Arrow Highway. The plan does not include required street trees for Arrow Highway, therefore a condition of approval to modify the design to add two 24-inch box Coast Live Oak Trees along Arrow Highway has been added to address this item. Shrubs include Sweet flat Dwarf Green, Texas Privet, variegated Boxleaf Euonymus, Echeveria Afterglow, Blue Oak Grass, Alfonse Car Bamboo, Agave Blue Glow, and Iceberg Rose.

## **Setback Variance**

To accommodate the proposed building on the site, the applicant is requesting a variance from the required 35-foot front setback from Arrow Highway. The requested setback variance is for a 10-foot setback reduction to 25 feet for a portion of the building on the east half of the site. The proposed building would comply with the required 25-foot side yard setback from Vernon Avenue.

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

## **Background**

- SJ Grigolla Construction Co. was founded in 2006, and is currently based in La Verne. The company specializes in industrial and commercial concrete projects such as decorative site paving, curbs, and retaining walls.
- The subject corner site is rectangular in shape with two street frontages – Arrow Highway and Vernon Avenue.
- The property is zoned MIP-Manufacturing Industrial Park per the North Montclair Specific Plan which allows for the development of an office building for

administrative clerical use and warehousing storage, light manufacturing uses, and/or distribution uses within an enclosed building.

- Building permit records show that the site was previously developed with an auto repair shop. On July 24, 2008, a demolition permit was issued to remove said building and clear the site.
- On August 25, 2008, the Planning Commission approved Case 2008-29 to construct a two-story office building on the subject property. However, due to the impacts of the past economic recession the project was never constructed and the previous entitlements are expired.

### **Planning Division Comments**

Overall, staff finds the proposed project to be well designed, and appropriately situated on the subject site. The approval of a Precise Plan of Design and Variance would allow for the development of the site and continue the recent trend of improvements being made to properties along Arrow Highway. With the exception of the requested front setback variance along the north side of the site (as discussed below), the project is in compliance with the applicable development standards of the MIP zoning district per the North Montclair Specific Plan including side setbacks, building height, and parking as generally described below. At 26 feet overall height, the proposed building is lower than the 50-foot height limit of the MIP zoning district of the North Montclair Specific Plan. The project also provides 16 on-site parking spaces which is one more than the 15 required for the proposed office/warehouse building. On-site parking is properly distributed on the site where it is needed and easily accessible.

Staff has worked with the applicant to clarify how the property would be used. As mentioned above, the North Montclair Specific Plan does not specifically allow outdoor storage as a use so the subject property is not an appropriate location for operating a construction storage yard with or without corporate offices. The property is tight on space and on-site parking is primarily for employees and visitors of the company. Company (e.g. fleet) vehicles would be allowed provided they can generally fit in a standard parking space (9' x 20') as designated on the approved site plan, and adequate on-site parking is maintained for employees. All construction vehicles (heavy duty or vehicles exceeding 20 feet in length), other related construction equipment or materials, storage containers, or personal items which do not fit inside the warehouse portion of the building must be stored off site at an appropriate location. Conditions of approval addressing this issue have been included in the proposed resolution of approval.

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

applicable codes, including property maintenance, and the provision of adequate on-site parking.

### Building Design, Landscaping, and Hardscape

Staff has also worked with the architect on the design of the building and is pleased with its overall design. The nod to mid-century design for the building will contribute to the improvements in the area and is appropriate for the prominent, but small, corner lot. The use and number of design details such as varied wall heights, stucco, split face "sugar cube" style block, composite "wood like" cladding, and a decorative metal trellis add to the design and work well on the building.

The proposed color palette of warm tones of greys, and brown composite cladding are appropriate. Staff has added a condition of approval for the designer to work with staff on the details on how the cladding will be installed on the building. In regard to the height of the walls and corresponding parapets, staff believes that they are generally tall enough to appropriately screen rooftop equipment from street level and the view from surrounding streets and properties. Nevertheless, staff has added a condition of approval requiring that all roof top equipment (except skylights) be fully screened from view to the greatest extent possible, as determined by the City Planner.

The landscaping plans feature a unique diagonal grid pattern for the site and complement the proposed mid-century design for the building. The various plant materials and hardscape elements, if continuously and adequately maintained, will provide visual interest and introduce an attractive alternative for other properties to emulate on their respective properties.

### Setback Variance

The setback variance request is proposed to allow for the efficient development of the small corner lot. While it is not unusual for a corner lot to have setbacks from each adjacent street, the application of the 35-foot setback requirement from Arrow Highway for this site would adversely affect the subject site in a way that surrounding development on larger parcels in the same zoning district would not be subject to. The strict application of a 35-foot setback requirement from the north property line is not a practical solution given the small configuration of the subject site limiting placement of the building and compliance with other applicable development standards. To require full 35-foot setbacks on the north side of the property would significantly reduce the available area to adequately develop the site.

The combined area of the site is 0.46-acre, and the rough estimate of the area to be dedicated for setbacks is approximately 8,345 square feet. Without the variance, the useable area of the 20,000 square foot lot would be decreased by approximately 40 percent on which structures and required on-site parking can be developed. The proposed variance would apply only to a portion of the new building (warehouse area) on the interior half of the site, that would leave sufficient area to develop the site



appropriately. Without the variance, the strict application of the front 35-foot setback requirement would require the applicant to push back the building, reduce the size of the warehouse and/or office area to reduce the number of required on-site parking spaces, and impact on-site maneuverability within the parking area. With the variance as requested, the applicant would be able to achieve a suitably sized office/warehouse development, meet parking, and other setback requirements that would otherwise result in an underutilized development project for this highly visible corner property.

On a number of the smaller properties along the south side of Arrow Highway, the setback is 25 feet from the north property line rather than 35 feet. For example, on the property on the east of the subject site, the portion of the existing building closest to the street is setback 25 feet (as measured from the north property line located 14 feet back of the existing curb). As depicted on the site plan, the adjoining commercial building to the east was granted Planning Commission approval in 1998 and was developed in general conformance with a 25-foot front yard setback. The applicant's request would be consistent with setbacks of other small corner and/or interior lots on Arrow Highway.

As mentioned above, the reduction in the front setback applies only for the warehouse portion of the proposed building located on the eastern half of the site. The remainder of the building would step back to meet the 35-foot setback for the office portion of the building nearest the corner of the site, so visibility would not be impacted by a structure.

### **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 development of a 5,795 square-foot office/warehouse building and associated site improvements is consistent with the applicable zoning standards (except for the requested variance for the front setback) within the respective "Manufacturing Industrial Park" district of the North Montclair Specific Plan.
- B. The proposed office/warehouse project is appropriately designed for the site, in a manner that does not overpower the site and which contributes to the improvement of the area by redeveloping a site that has been vacant for a decade with a new modern development.
- C. The proposed office/warehouse development features high-quality exterior building materials, sustainable landscaping, and lighting improvements that are attractive and up-to-date. When the project is completed, the site will provide a much needed aesthetically pleasing street view for a prominent corner on Arrow Highway.

## **Variance Findings**

- A. That because of special circumstances applicable to the subject property, including its shape and dimensions, location and surroundings, the strict application of a 35-foot setback requirement from the north property line adversely impacts the small 0.46-acre corner lot with setbacks that place the proposed building deeper into the property leaving less room to accommodate the use, meet required on-site parking and internal circulation, and compliance with other site development requirements. Further, as a corner lot, the site would also be impacted by a 25-foot street side setback requirement from Vernon Avenue.
- B. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners in the vicinity and under identical zoning classifications. The strict application of a 35-foot setback on the north side of the subject property would require that the building be pushed south, reduce the size of the building, limit parking lot improvements and maneuverability. The variance request allows this small property to be developed as other small properties on Arrow Highway with a 25-foot setback rather than the required 35-foot setback.
- C. The granting of such variance will not be materially detrimental to the public welfare or injurious to other property or improvements in the vicinity and zone in which the subject property is located. The respective 10-foot setback reduction from Arrow Highway would apply only to a portion of the new building (warehouse area) on the interior half of the site, leaving the remainder of the building meeting the required setback as it approaches the corner and adjacent intersection.
- D. The granting of such variance will not be contrary to the objectives of any part of the adopted General Plan. The General Plan encourages the rational use and development of underdeveloped and undeveloped parcels within the City, including modern and attractive industrial projects which this project would accomplish.

## **Public Notice**

Public notice for the project and proposed variance was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on January 4, 2019. Public hearing notices were mailed out to property owners within a 300-foot radius of the subject property in accordance with State law for consideration of this discretionary zoning entitlement. At the time this report was prepared, no comments or inquiries had been received by staff regarding this project.

## **Environmental Assessment**

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

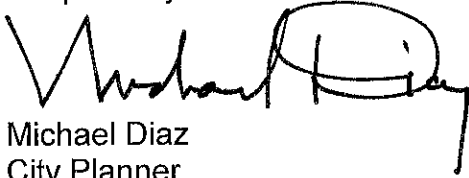
## **Planning Division Recommendation**

Staff recommends the Planning Commission find the proposal to construct one new, two-story, office/warehouse building totaling 5,795 square-feet, plus associated site improvements on a .46-acre site on the southeast corner of Arrow Highway and Vernon Avenue to be well designed and compatible with surrounding land uses. Staff further recommends that 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 applications for the proposed two-story office/warehouse building and related site improvements are categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 and 15305(a) of the State CEQA Guidelines, which covers infill projects in significantly developed areas and minor alterations to land use limits - variance requests. The proposed development of the subject site is consistent with the applicable policies of the General Plan, and zoning designation of the site, is less than five acres in area, has utilities present in the area to serve the development, and is similar to other existing industrial and commercial developments and uses in the vicinity.
- B. Approve the Precise Plan of Design (PPD) request for the site plan, elevations, conceptual landscape plan, colors and materials associated with the proposed development of a two-story office/warehouse building totaling 5,795 square feet on a 0.46-acre site at the southeast corner of Arrow Highway and Vernon Avenue, per the submitted plans and as described in the staff report, subject to conditions of approval contained in Planning Commission Resolution No. 18-1924.
- C. Approve the Variance request to allow a 10-foot reduction in the required 35-foot street front setback distance along the Arrow Highway frontage, related to development of the proposed two-story office/warehouse building on the 0.46-acre site at the southeast corner of Arrow Highway and Vernon Avenue, per

submitted plans and as described in the staff report, subject to the findings and conditions in Planning Commission Resolution No. 18-1924.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael Diaz". The signature is stylized with a large, circular flourish at the end.

Michael Diaz  
City Planner

MD/le

Attachments: Draft Resolution No. 18-1924

- c: Steven and Stella Grigolla, property owners, 2639 Sierra Way, La Verne, CA 91750
- Steven Eide, Eide Design Group, 158 West Orange Street, Covina, CA 91723-2011
- Cris Tongson, Eide Design Group, 158 West Orange Street, Covina, CA 91723-2011

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**RESOLUTION NO. 18-1924**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING A PRECISE PLAN OF DESIGN AND VARIANCE UNDER CASE NO. 2018-27 FOR THE SITE PLAN, FLOOR PLAN, ELEVATIONS, COLORS AND MATERIALS, AND CONCEPTUAL LANDSCAPE PLAN FOR A 5,795 SQUARE-FOOT OFFICE/WAREHOUSE BUILDING AT THE SOUTHEAST CORNER OF ARROW HIGHWAY AND VERNON AVENUE (APN NO. 1008-042-08-0000).**

**WHEREAS**, on November 1, 2018, Steven and Stella Grigolla, property owners, filed applications for a Precise Plan of Design (PPD) and Variance under Case No. 2018-27, to allow the development of one (1) office/warehouse building, approximately 5,795 square-feet in size; and

**WHEREAS**, the undeveloped project site is located on the southeast corner of Arrow Highway and Vernon Avenue, and is approximately 0.46-acre in size; and

**WHEREAS**, the project site is located with the Manufacturing Industrial Park (MIP) zone of the North Montclair Specific Plan (NMSP); and

**WHEREAS**, the subject property has direct access to Vernon Avenue and Arrow Highway which are both 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; and

**WHEREAS**, the North Montclair Specific Plan requires a 35-foot deep street front setback from Arrow Highway; and

**WHEREAS**, the proposed variance request would allow a 10-foot reduction from Arrow Highway to allow a 25-foot setback from the north property line; and

**WHEREAS**, staff has determined that the proposal meets the intent and applicable development standards of the "MIP" zoning district per North Montclair Specific Plan, except as modified by the variance request related to this project; and

**WHEREAS**, the Planning Division has determined this project to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 and 15305(a) of the State CEQA Guidelines, which covers infill projects in significantly developed areas and minor alterations to land use limits - variance requests. The proposed development of the subject site is consistent with the

applicable policies of the General Plan, and zoning designation of the site, is less than five acres in area, has utilities present in the area to serve the development, and is similar to other existing industrial and commercial developments and uses in the vicinity. As such, there is no substantial evidence the project will pose a potential significant impact to the environment; and

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

**WHEREAS**, public notice for the project and proposed variance was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on January 4, 2019. 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; and

**WHEREAS**, on January 14, 2019, commencing at 7:00 p.m. in the Council Chambers at Montclair City Hall, the Planning Commission conducted a public hearing at which time all persons wishing to testify in connection with said application were heard, and said application was fully studied.

B. Resolution.

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

1. This Commission hereby specifically finds that all 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 January 14, 2019, including written and oral staff reports, together with public testimony, this Commission hereby finds and follows:

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 development of a 5,795 square-foot office/warehouse building and associated site improvements is consistent with the applicable zoning standards (except for the requested variance for the



front setback) within the respective "Manufacturing Industrial Park" district of the North Montclair Specific Plan.

- B. The proposed office/warehouse project is appropriately designed for the site, in a manner that does not overpower the site and which contributes to the improvement of the area by redeveloping a site that has been vacant for a decade with a new modern development.
- C. The proposed office/warehouse development features high-quality exterior building materials, sustainable landscaping, and lighting improvements that are attractive and up-to-date. When the project is completed, the site will provide a much-needed aesthetically pleasing street view for a prominent corner on Arrow Highway.

### **Variance Findings**

Pursuant to Chapter 11.82 of the Montclair Municipal Code, the following findings for the Precise Plan of Design can be made:

- A. That because of special circumstances applicable to the subject property, including its shape and dimensions, location and surroundings, the strict application of a 35-foot setback requirement from the north property line adversely impacts the small 0.46-acre corner lot with setbacks that place the proposed building deeper into the property leaving less room to accommodate the use, meet required on-site parking and internal circulation, and compliance with other site development requirements. Further, as a corner lot, the site would also be impacted by a 25-foot street side setback requirement from Vernon Avenue.
- B. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners in the vicinity and under identical zoning classifications. The strict application of a 35-foot setback on the north side of the subject property would require that the building be pushed south, reduce the size of the building, limit parking lot improvements, and maneuverability. The variance request allows this small property to be developed as other small properties on Arrow Highway with 25-foot setbacks rather than the required 35-foot setback.
- C. The granting of such variance will not be materially detrimental to the public welfare or injurious to other property or improvements in the vicinity and zone in which the subject property is located. The respective 10-foot setback reduction from Arrow Highway would apply only to a portion of the new building (warehouse area) on the interior half of the site, leaving the remainder of the building meeting the required setback as it approaches the corner and adjacent intersection.

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

Conditions of Approval

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

Planning

1. This approval shall be for the following:
  - a. A Precise Plan of Design for the site plan, elevations, colors and materials, and conceptual landscape plan for a new two-story (office portion), 5,795 square foot, office/warehouse building and associated site development improvements on the 0.46-acre site as depicted on the submitted plans and as described in the staff report.
  - b. A Variance to allow a 10-foot setback reduction from the required 35-foot setback distance from the front (north) property line, to a setback distance of 25 feet for the warehouse portion of the new building.
2. In the event that exhibits and written conditions are inconsistent, the written conditions shall prevail.
3. These entitlements are granted based upon the maps, plans and elevations submitted, dated November 12, 2018. Minor modifications to this approval which are determined by the City Planner to be in substantial conformance with approved plans and which do not intensify or change the use or require any deviations from adopted standards, may be approved by the City Planner upon submittal of prepared plans submitted for review and approval. Any modifications, intensification, or expansion of the use and design found by the City Planner to be significantly different from approved plans shall be referred to the Planning Commission for review and approval.
4. This approval shall supersede all previously approved entitlements for the subject property.

5. PPD approval shall be valid for a period of one year and shall automatically expire on the anniversary date of Planning Commission approval unless the applicant is diligently pursuing building plan check and building permits, or has applied for and received an approved time extension from the Planning Commission. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's PPD expiration date.
6. Variance approval shall be valid for a period of six months (180 calendar days) from the date of Planning Commission approval and shall automatically expire on the six-month anniversary date of Planning Commission action, unless the applicant is diligently pursuing building plan check toward eventual construction or implementation of the project, or has applied for and received an approved time extension from the Planning Commission. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's variance expiration date.
7. No changes to the approved set of plans, including the exterior design and materials/finishes, shall be permitted without prior City review and approval.
8. Approval of this Precise Plan of Design and Variance 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 Federal Government.
9. Within five (5) days of approval by the Planning Commission, the applicant shall submit the following payments to the Planning Division:
  - a. A check in the amount of **\$50.00**, payable to "Clerk of the Board of Supervisors," to cover the filing fee for the Notice of Exemption (NOE) as required by the California Environmental Quality Act (CEQA).
  - b. A check made payable to the "City of Montclair," in the amount of \$549.48, 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.
10. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 10 days of receipt of the signed Planning Commission Resolution.

11. Approved colors and materials for the project shall be per sample colors and finishes on file with the City and as follows:
  - a. Stucco wall finish for office warehouse building shall be La Habra brand "Silver Grey X16 Sand Float 16/20 Base 200."
  - b. Parapet "Silver Grey X16 Santa Barbara Base 200"
  - c. Exterior siding for building wall and wrought iron gate shall be Fiberon Composite Cladding Symmetry Decking "Burnt Under." Applicant shall submit detailed cross-sections with specifications depicting nailing pattern and method of attachment for cladding decking to the building, screen wall, and gate to the satisfaction of the City Planner prior to issuance of building permits.
  - d. Exterior Building Wall shall be 8" x 8" Split Face "Charcoal" colored masonry block.
  - e. Steel Trellis and Posts shall be Dunn Edwards 178 LRV & "Billard Table" color. Applicant shall submit submitted detailed specification for trellis to the satisfaction of the City Planner prior to issuance of building permits.
  - f. Doors and Windows shall be Ebony anodized frames and Bronze tinted glass.
  - g. Wall mounted lights for the office/warehouse building shall be Berreta outdoor sconce design in black.
12. The property owner and/or users shall comply with the following operational standards:
  - a. No outdoor pay telephones, loudspeakers, or vending machines shall be installed or used on the property.
  - b. No outdoor storage of personal or other items (including recreational vehicles) anywhere on the exterior of the site.
  - c. No outdoor storage of raw or scrap materials, finished products, high-pile storage of pallets, equipment and/or other supplies of any kind on the ground, on racks, or storage containers occupying required parking spaces or drive aisles shall be allowed.
  - d. No outdoor manufacturing, processing, or assembly operations.

13. Vehicles directly related to the business may be parked within required parking spaces as depicted on the approved site plan and provided that:
  - a. A minimum of 16 standard-sized parking stalls are maintained for use at all times, including one (1) disabled parking space; and
  - b. Vehicles generally fit into a 9' by 20' standard parking stall and/or do not impede on-site circulation (including back up areas), or emergency access; and
  - c. Parking/storage of semi-trucks, semi-trailers, or heavy construction equipment shall not be allowed; and
  - d. No subleasing of the parking lot to other off-site businesses or users shall be allowed.
14. The warehouse shall not be converted into additional office space or other use that results in the need for more on-site parking than provided.
15. The applicant and/or property owner shall ensure that a copy of the Planning Commission Resolution, including all conditions of approval, be reproduced on the first page of the construction drawings and shall be distributed to all design professionals, contractors, and subcontractors participating in the construction phase of the project.
16. On plans submitted for Building Division Plan Check, the applicant shall provide the following items for City Planner review and approval prior to issuance of building permits:
  - a. Installation details for exterior cladding materials showing methods of attachment, including nailing patterns.
  - b. A final fencing/wall plan and details for all fences, walls, and gates to installed on the entire site. The design of all fences, walls, and gates shall be complementary to overall appearance of the new building and constructed of durable and easily maintained materials:
    - i. All masonry walls shall be a colored (unfinished gray colored precision block prohibited), split face, or clad with a stucco finish (with matching colored cap) that complements the architecture of the building.
    - 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 wood or metal fence shall be placed on the inside facing the subject property.

- iii. The maximum height of a fence, wall, or gate shall not exceed eight feet (8'-0") in height along any side or rear property line as adjusted to meet setback requirements or to accommodate existing grade conditions.
  - iv. The use of chain-link fencing and security deterrents such as barbed or concertina wire are expressly prohibited.
  - 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 shields may be required to ensure illumination does not adversely impact adjacent properties.
  - iv. Freestanding light fixtures and poles shall not exceed a maximum height of 20'-0" (including concrete pedestals) as measured from adjacent grade to top of luminaires.
  - v. Above-grade concrete support pedestals for freestanding light poles shall be painted in a color-coordinated 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, shall not be permitted. Decorative lighting shall be subject to City Planner review and approval.

vii. "Wall-washers" or decorative landscape lighting shall be subject to review and approval by the Planning Division.

d. Revise landscape plan to indicate the following:

i. Arrow Highway – Add two (2) Coast Live Oak Trees (*Quercus agrifolia*) spaced a minimum of 40-feet apart within the parkway along Arrow Highway.

ii. Vernon Avenue – Provide three (3) Carrotwood Trees (*Cupaniopsis anacardioides*) spaced appropriately within the seven (7) foot wide Public Utilities Easement (PUE) behind the existing public sidewalk.

iii. Trees shall be minimum 24-inch box size, single trunk and double-staked per City standards

e. Provide trash enclosure details. Trash enclosure shall have a solid roof cover and be designed to complement the overall architecture of the main building and in compliance to City standards.

i. Contact Burrtec Waste Industries, Gary Koontz [gkoontz@burrtec.com](mailto:gkoontz@burrtec.com) 909-429-4200 to determine the number of required bins to support the most likely end user(s) of the building.

ii. Install black-colored concrete for the trash enclosure floor and apron in front of doors.

iii. Provide disabled-access to the trash enclosure as required by the current California Building Code, as determined by the Building Official.

17. Prior to issuance of a Certificate of Occupancy, the applicant shall install approved landscaping materials on the site including the setback areas along the Arrow Highway and Vernon Avenue, subject to the satisfaction of the City Planner. The following standards shall apply:

a. All trees shall be minimum 24-inch box size, single trunk and double-staked per City standards.

b. All shrubs shall be minimum five-gallon container size (except herbaceous perennials and woody spreading shrubs on slopes).

- c. A minimum of 3 inches of decomposed granite shall be provided where indicated on approved plans.
  - d. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.
  - e. Property Owner/Lessee is required to employ a Bonded and California Licensed C-27 Landscape Contractor to conduct all landscaping on property.
  - f. Landscape Contractor must have City Business License to operate in the City of Montclair.
18. Prior to the issuance receiving a Certificate of Occupancy the Landscape Architect of record shall submit a signed/stamped Letter of Completion to both Planning Division and Engineering Division.
19. All landscaping and irrigation systems shall be maintained by the property owner in accordance with the approved site and/or landscape plan to ensure water use efficiency.
20. 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.
21. 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.
22. All automobile parking spaces shall be clearly delineated with double-line (e.g. "hairpin") striping.
23. Signage on the building shall be limited to the name of the business only and numerical address. A monument sign may be installed subject to City review and approval. A separate Sign Permit Application shall be submitted by the property owner (or licensed sign contractor) for the abovementioned sign(s) to the Planning and Building Divisions for review,

approval, and issuance of all necessary permits prior to installation of any sign(s).

24. 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.
25. 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.
26. All on-site overhead wires and utility poles within development boundaries of the subject site shall be removed and/or placed underground. This requirement applies to electrical services, transformers and switches, and where technology exists, telephone and cable television facilities.
27. 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.
28. Exposed gutters shall be prohibited for use where directly visible to the street. Exposed downspouts on sides of building not directly visible to the street shall be incorporated as an element of the exterior design of the building to the greatest extent possible, subject to City Planner review and approval.
29. All roof-mounted mechanical equipment (e.g., vents, meters, HVAC units, ducts, conduit, satellite dishes, photovoltaic systems, etc.), enclosures or equipment screen walls shall not project above the roof parapet.
30. Screening of roof-mounted equipment shall be accomplished with mechanical roof wells recessed below the roofline or by solid and permanent roof-mounted screens. Screening shall be compatible with the architectural style, materials, and color of the building upon which the equipment is located, subject to the approval of the City Planner.
31. 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.

32. Access to the roof of the building shall be from within the structure and not be means of roof access ladders mounted to the exterior of the building.
33. 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.
34. The property owner shall be responsible for maintaining the building, 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 free of any potholes, significantly cracked or uneven paving, or any other significant damage or disrepair throughout the life of the development.
35. Graffiti or etching of glass areas on the building or on other site improvements shall be removed/replaced immediately by the applicant/property owner upon notification by the City.
36. 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.
37. Any future business occupying the office/warehouse building affected by this approval 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.
38. No temporary or permanent residential living quarters shall be established on the premises within any building or motorhome/recreational vehicle. 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 on a repeated basis.
39. Business operations at the site shall be subject to the applicable noise requirements of Chapter 6.12 of the Montclair Municipal Code. Outdoor noise levels for industrial areas are a maximum of 70 dBA between the hours of 7:00 a.m. and 10:00 p.m.

40. 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

41. Submit five 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; include lighting for the structure for interior and exterior areas.
  - e. Plumbing plans, including isometrics, underground diagrams, water and waste diagram, fixture units, gas piping, and heating and air conditioning.
  - f. Waste recycling plan, recycling 65% of all construction debris

- g. Two sets of structural calculations
  - h. Two sets of Title 24 energy calculations.
  - i. Landscaping plans including lighting structures, retaining walls, trash enclosures, other walls and fences.
42. Architect's Engineer's stamp and "wet signature" are required prior to plan check approval.
  43. 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.
  44. Contractors must show proof of State and City licenses and Worker's Compensation coverage to the City prior to permit issuance.
  45. Separate permits are required for fencing and walls. Double wall conditions, which have been created by an adjacent property line wall, shall not be allowed.
  46. Plans shall be submitted for plan check and approved prior to construction. All plans shall be marked with the project file number. The applicant shall comply with the latest adopted California Codes, and all other applicable codes, ordinances, and regulations in effect at the time of permit application.
  47. Construction activity shall only be permitted from the hours of 7:00 a.m. to 8:00 p.m. daily.
  48. Prior to issuance of building permits for a new commercial or industrial development or major addition, the applicant shall pay fees at the established rate. Such fees may include but not be limited to Transportation Development Fees, Permit and Plan Check Fees, and School Fees. Pay all required fees directly to the Ontario Montclair School District and the Chaffey Joint Union High School District. Applicants shall provide a copy of the school fees receipt to the Building and Division prior to permit issuance.
  49. Construct trash enclosure per city standard.
  50. Electrical and Fire suppression service shall rise within the interior of the building. Roof ladders shall also be located entirely inside the building. 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 Ask Merry if ok to add instead of the above.

51. 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.
52. 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. The application of paint and stucco shall in all cases not be below standard quality as determined by the Building Official.
53. Decorative foam trim shall not be used in areas subject to damage such as entry doors, garage doors, etc. Use of decorative foam shall not be allowed to be used below the second story.
54. Security gate at the parking lot shall be equipped with Medeco locks or other acceptable devices to allow access by emergency personnel and utility providers at all times.
55. All mechanical devices (ground-mounted and roof mounted) and their component parts, such as air conditioners, evaporative coolers, exhaust fans, vents, transformers, or similar equipment/apparatus, 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. Provide sufficient number of details (i.e. line of sight drawing, building cross-section, etc.) to demonstrate all equipment is obscured from public view.
56. All roof mounted equipment satellite dish antennas, or 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 City Planner.
57. No soil shall be imported or exported to or from the project site from an adjacent building site or from other sources for construction purposes without first obtaining approval from the City Engineer. A plan satisfactory to the City Engineer shall be prepared showing the proposed haul route within the City. Subject plan shall include provisions for street sweeping and cleanup. Applicant/contractor shall comply with all NPDES requirements.

58. Prior to the issuance of the Certificate of Occupancy a Final Grade Certificate shall be provided to the Building Official issued from the Registered Civil Engineer of Record that all on-site improvements have been constructed in accordance with all City Standards, Specifications, Conditions of Approval and approved plans.
59. 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%).
60. 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 south-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.
61. 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). Contact Nicole De Moet, Environmental Manager, at 909/625-9446 for fees.
62. 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.
63. Underground Service Alert shall be notified 48 hours prior to any excavation at (800) 422-4133.

64. 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.
65. Prior to commencement of building framing or delivery of any combustible materials to the project site, an all-weather access roadway capable of supporting firefighting apparatus shall be constructed within 150 feet of all structures. An all-weather access is defined as base course A.C. pavement to a minimum depth of 2½ inches and having a minimum width of 20'-0". The 20-foot width shall be maintained free and clear of construction equipment, materials, and debris for the duration of construction. Roadway is subject to Fire Prevention Bureau approval prior to commencement of construction.
66. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.
67. 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.
68. 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 Prevention Bureau inspection and approval of all conditions.
69. Prior to issuance of a Certificate of Occupancy, the person or corporation responsible for the preparation of the Water Quality Management Plan shall certify, in writing, to the Building Official that all conditions and requirements of the Water Quality Management Plan have been implemented. 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 Water Quality Management Plan.
70. 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 require access to the facility by way of ramps, which comply with the California Building Code (CBC) 2016 edition, Chapter 11B, in addition to access to each feature of the trailer.

71. The address of the new building will be 5453 Arrow Highway.

Water Quality Management Plan

72. 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.
73. 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.
74. At the time of grading permit issuance; Post-Construction BMP inspection permit fees associated with the approved WQMP shall be paid. Contact Joseph Rosales, NPDES Coordinator, at (909) 983-5501 for further information regarding permit and fees.
75. 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 it relates 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.
76. 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 NPDES Coordinator that all conditions and requirements of the WQMP have been implemented. For projects, developments, or

properties intended to be leased or sold, developer shall also submit evidence to the NPDES Coordinator 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.

Engineering

77. Developer shall comply with all requirements of the Subdivision Map Act and the Montclair Municipal Code. The applicant shall process any right-of-way dedications, easements or grant deeds required for the development.
78. A park land fee is not applicable since this will be industrial site.
79. Payment of transportation-related development impact fees shall be assessed at the rate in effect at the time fees are paid.
80. Any street improvements shall be shown on street improvement plans; they may also be included in the grading plans.
81. All pavement damaged by excavation will be replaced with permanent pavement per the City Standard for paving and trench repair STD No. 121.
82. Replace all existing lifted or cracked curb gutter, damaged utility pull box lids, and sidewalk adjacent to the property. Additionally remove sidewalk that show signs of ponding or is pitting, scaling or spalling. Curb Ramps not in compliance with ADA guidelines will be removed and replaced. Existing driveway needs to be removed and replaced with ADA complaint driveway.
83. The Applicant/Property owner shall provide the design and construction of additional streets lights as required by the City Engineer.
84. All utilities in the public right of way portion of each street frontage adjacent to the site shall be placed underground. This requirement applies to electrical services (facilities operated at nominal voltages in excess of 20,000 volts not included), transformers and switches, and where technology exists, telephone and cable television facilities as well.
85. Payment of Regional Sewerage Capital Outlay fees as specified in the Montclair Municipal Code and by Inland Empire Utilities Agency.
86. Discharge of wastewater into the sewer collection system shall conform to all requirements of the Montclair Municipal Code.
87. 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.

88. 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".
89. All drainage facilities shall comply with requirements of the approved WQMP.
90. Prepare and submit a final hydrology and hydraulic study showing the tributary area, layout of storm drains and downstream impacts to a point as defined as the closest receiving point on a master storm drain line or existing facility as approved by the City Engineer. The study shall identify off-site and on-site runoff impacts resulting from build-out of permitted General Plan uses, the project's contribution, location and sizes of catchments and system connection points plus all downstream drainage mitigation measures. All mitigations/recommendations resulting from any final approved report shall be included in the improvement design submittals

#### Environmental

91. Connection to the City of Montclair Sanitary Sewer System is required. Any existing underground tanks/sand-oil clarifiers must be removed/properly abandoned. Additional comments may follow pending submittal of plans for plan check review. Contact Nicole deMoet, Environmental Manager at (909) 625-9446 for more information.
92. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
93. 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). Contact Nicole deMoet for fee information.
94. All trash enclosures must be designed in accordance with the provisions of AB 341 Mandatory Commercial Recycling and AB 1826 Mandatory Commercial Organics Recycling (MORe) as established by California Department of Resources Recycling and Recovery (CalRecycle). Sufficient facilities must be provided and maintained for the mandatory



recycling of all recyclable materials and food waste/organics. For additional information, contact Environmental Manager, Nicole deMoet at (909) 625-9446.

### Fire

95. 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.
96. 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 2016 105.3.8).
97. When submitting plans provide three 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 2016 105.4.1)
98. 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.(2016 CFC 105.4.2.1 and Chapter 9)
99. Each page shall Contractor's license number, including expiration date, wet stamp and signature of the contractor licensee on each plan (California Business & Professions Code Sec. 7031.5).
100. Provide an accurate description of the scope of work for the project on the title page.
101. Show all exterior and interior building dimensions on the plans.
102. The plan check application can be found on the City of Montclair website: <http://www.cityofmontclair.org> and clicking on following Departments: Fire, Fire Prevention, plan check, and permit process.

103. This project is required to comply with the 2016 California Fire Code as amended in the Montclair Municipal Code, and Montclair Fire Department development standards.
104. All fees are required to be paid in full prior to any permit issuance.
105. 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 (2016 CFC 503.1.1).Exception: Dimension may be increased if the building is equipped throughout with an approved automatic sprinkler system installed in accordance with 2016 CFC Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
106. Provide additional firefighting access, whether apparatus access road or pedestrian pathway on all sides of the proposed building. Show additional fire department access on all sides of the building on the plans.
107. 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. (2016 CFC 503.2.1)
108. Provide a site plan using a 20-30-40- scale to show the turn radius for all corners, using a minimum 32 feet inside & 45 feet outside. (CFC 2016 503.2.4)
109. Provide fire apparatus turn-around dimensions (hammerhead, boot, or cul-de-sac) where fire apparatus access roads and driveways exceed 150 feet (2016 CFC 503.2.5)
110. 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. (2016 CFC 503.2.3)
111. Traffic calming devices shall be prohibited unless approved by the fire code official. (2016 CFC 503.4.1)
112. 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 Code Official. (CFC 2016 503.2.8)
113. Fire apparatus access road gates shall have a minimum gate width of 20 feet, and must comply with other requirements of the 2016 CFC 503.6.

114. 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 (2016 CFC 506.1).
115. 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 (2016 CFC 504.1).
116. Install parapet ladders and emblems. Locations to be determined by the Fire Prevention Bureau during plan check.
117. Commercial Address numbers must be 8-10" tall and automatically illuminated and facing the street. Contact Planning for further information. (CFC 2016 505.1)
118. Exact number, location, and type of fire extinguishers shall be determined by Fire Prevention Bureau.
119. Public Water Systems must meet all Monte Vista Water District standards. Contact the Monte Vista Water District at 909-624-0035
120. Exact number, location, and design of fire hydrants shall be determined by Fire Department and the Monte Vista Water District.
121. Private Water Systems must comply with the NFPA 24 standard and the 2016 California Fire Code. Must install a Fire Department Connection (FDC) located at the Double Detector Check Assembly (DCDA) / Outside Screw and Yoke valve (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. An approved water supply capable of providing the required fire flow for fire protection shall be provided (2016 CFC 508.1).
123. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in 2016 CFC Appendix B, Table B105.1 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

124. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24 (508.2.1). Submit plans to the fire department showing the fire water system detail.
125. Fire Department Connections (FDC) 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)).
126. The installation of check valves is required between fire hydrants and Fire Department Connections (FDC).
127. Show pipe size of the fire water system on the plans.
128. 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 2016 508.5.1)
129. Provide a site plan showing all fire hydrants and distances to nearest fire hydrants in all directions along fire apparatus access roads.
130. Minimum underground fire service supply pipe shall be 6 inches in diameter. (MMC 10.28.060K(5))
131. Double Check Detector Assembly shall be painted Rustoleum Hunt Club Green, satin acrylic finish stock #7944502.
132. 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 2016 903.2). Three (3) sets of plans shall be submitted to the Montclair Fire Prevention Bureau for review and approval prior to starting work.
133. 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) Three (3) sets of plans shall be submitted to the Montclair Fire Prevention Bureau for review and approval prior to starting work.
134. 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.

135. 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. Fire sprinkler system plans are required to be a separate plan submittal with a completed application and all fees pre-paid.
137. 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 2016 CFC Chapter 9 (2016 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.
138. 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".
139. 2016 CFC Chapter 33 conditions shall apply to this project during construction and demolition (2016 CFC 3301.1).
140. Develop and maintain an approved pre-fire plan in cooperation with the fire department (2016 CFC 3308.2).
141. 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 Monte Vista Water District and Fire Prevention Bureau prior to the issuance of permits (2016 CFC 3312.1).
142. 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. The Fire Apparatus access road shall be 2" thick, 20' wide (minimum) paved asphalt road throughout the project. (CFC 2016 503.2.3)
143. Approved vehicle access firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections. Vehicle access shall be provided by temporary or permanent roads, capable of supporting

imposed loads of fire apparatus under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available (2016 CFC 3310.1).

144. Fire apparatus roads shall not be obstructed in any manner, including the parking of vehicles (CFC 2016 503.4).
145. 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 2016 505.1.2).
146. Welding, cutting, open torches and other hot work operations and equipment shall comply with 2016 CFC Section 2601.1.
147. Provide a readily accessible telephone on-site for emergency use. The street address of the construction site. The emergency telephone number of the fire department dispatch center at 911 for emergencies and (909) 884-7248 for non-emergencies, shall be posted adjacent to the telephone (2016 CFC 3309.1). Structures under construction, alterations or demolition shall be provided with not less than one approved portable fire extinguisher (2016 CFC 3315.1).
148. 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 (2016 CFC 1410.2 & 506).

#### Police

149. 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.
150. 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.
151. 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.
152. 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 1920x1080 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.

153. Alarm systems are encouraged to complement the C CVS 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 14<sup>th</sup> DAY OF JANUARY 2019.

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 January 2019, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

Z:\COMMDEV\SGUTIERRES\CASES\2018-27 PC RESOLUTION