

MONTCLAIR PLANNING COMMISSION MEETING – FEBRUARY 22, 2021

NOTICE

**THIS MEETING WILL BE CONDUCTED VIA WEBINAR/TELECONFERENCE.
THE COUNCIL CHAMBERS WILL NOT BE OPEN TO THE PUBLIC.**

Pursuant to Sec. 3 of Executive Order N–29–20 issued by Governor Newsom on March 17, 2020, this meeting will be conducted remotely via the ZOOM virtual meeting platform. In compliance with the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID–19 virus, there will be no in-person meeting location at which the public may appear.

**ALL PARTICIPANTS WILL BE MUTED AUTOMATICALLY UPON ENTERING THE MEETING.
THE COMMISSION SECRETARY WILL UNMUTE THOSE WHO WISH TO SPEAK AT THE
APPROPRIATE TIME. PLEASE KEEP YOURSELF ON MUTE WHEN NOT SPEAKING.**

LISTEN TO THE MEETING LIVE VIA ZOOM

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LISTEN TO THE MEETING LIVE VIA TELEPHONE

The public may participate via phone by dialing the below numbers:

Teleconference Number: 1–669–900–6833

Meeting ID: 935 8050 9453

PLEASE DO NOT PUT YOUR PHONE ON "SPEAKER MODE" DURING THE MEETING

If you are not going to be requesting to speak and do not want your phone number to appear on the screen, dial *67 before the Teleconference Number.

VERBAL PARTICIPATION OVER THE PHONE

Please dial *6 to mute and unmute yourself, and *9 to "raise your hand" to request to speak.

Raised hands will only be acknowledged during the Public Hearing and Public Comment sections of the agenda, and when the Meeting's Chair requests comments from the public.

VIRTUAL SPEAKER CARDS

To provide verbal comments during the meeting, please visit www.cityofmontclair.org/pc-comment to fill out a Virtual Speaker Card to request to speak in advance. Members of the public on the call who did not fill out the Virtual Speaker Card will be given an opportunity to speak after those who requested to speak in advance. Please do not call into the meeting anonymously (renaming yourself in ZOOM or using *67) if you submitted a Virtual Speaker Card so the Planning Commission Secretary can identify you on the call and unmute you at the appropriate time.

You may also call the Office of the Planning Commission Secretary at (909) 625–9435 to fill out the Virtual Speaker Card over the phone or e–mail your name, phone number if calling in during the meeting, and subject of comment or agenda item to pcclerk@cityofmontclair.org with the subject line "[Meeting Date] Virtual Speaker Card".

Written comments may be submitted using the Virtual Speaker Card or via e–mail or mail, and will be read aloud during the meeting by the Planning Commission Secretary at the appropriate time (250 word limit). Please submit all Virtual Speaker Cards or written comments at least one hour prior to the meeting's start time.

CITY OF MONTCLAIR
PLANNING COMMISSION AGENDA
REGULAR ADJOURNED MEETING
FEBRUARY 22, 2021
7:00 p.m.

*As a courtesy, please place yourself on mute while the meeting is in session, unless speaking (Dial *6 on the phone to toggle mute).*

*Persons wishing to make a public comment or speak on an agenda item, including public hearing and closed session items, are requested to complete a Virtual Speaker Card (VSC) at pcclerk@cityofmontclair.org. The Chair will recognize those who have submitted a VSC at the time of the item's consideration and invite those individuals to provide comments on the item at that time. Those who did not fill out a VSC will have an opportunity to speak after those who did by using the "raise hand" function on the ZOOM meeting platform or over the phone by dialing *9.*

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Chair Barry Rowley, Vice Chair Manny Martinez, Commissioner Sergio Sahagun, Commissioner Ginger Eaton, and Commissioner Jaso Sanchez

4. APPROVAL OF MINUTES

The minutes from the December 14, 2020 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 Virtual Speaker Card as described above.

6. AGENDA ITEMS

a. PUBLIC HEARING - CASE NUMBER 2020-22

Project Address: 4384 Holt Boulevard
Project Applicant: Valentina Abelyan on behalf of Splash n Go
Project Planner: Yvonne Nemeth, Associate Planner
Request: A Conditional Use Permit request to demolish an existing coin-operated carwash and construct a new automatic drive-thru express carwash and a Precise Plan of Design to approve 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

Reports, backup materials, and additional materials related to this project item can be viewed at <https://www.cityofmontclair.org/agendas> by clicking on the agenda for February 22, 2021.

9. ADJOURNMENT

The City of Montclair Planning Commission meeting is adjourned to the regularly scheduled meeting of March 8, 2021 at 7:00 p.m. pursuant to Executive Order N-29-20 members of the public will not be permitted to be physically present during this meeting.

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 February 18, 2021.



CITY OF MONTCLAIR
PLANNING COMMISSION

MEETING DATE: 02/22/2021

AGENDA ITEM 6.a

Case No. 2020-22

Application: A request for a Conditional Use Permit (CUP) to demolish an existing coin-operated carwash and construct a new 3,300-square-foot automatic express carwash. A Precise Plan of Design (PPD) to approve associated site improvements on a 0.79-acre lot.

Project Address: 4384 Holt Boulevard

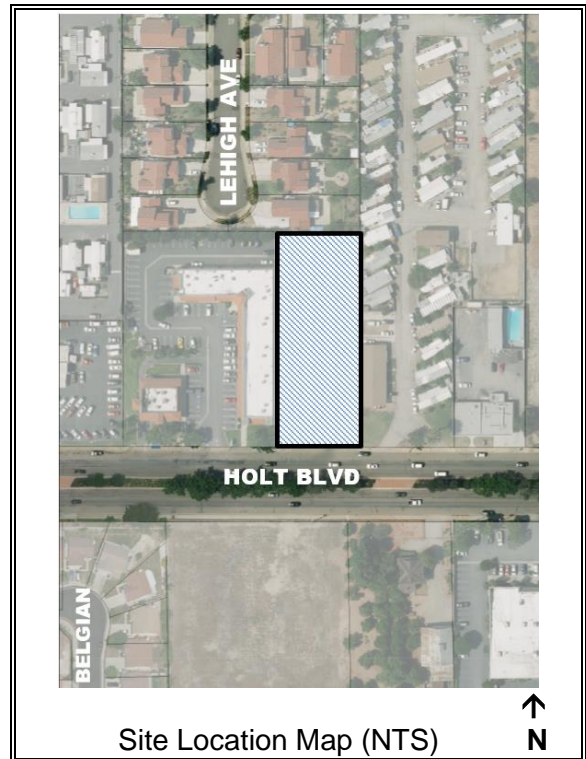
Property Owner: Gagik Muradyan, Irina Muradyan, and Valentina Abelyan (Splash N' Go)

General Plan: General Commercial

Zoning: Commercial (C) within the Holt Boulevard Specific Plan (HBSP)

Assessor Parcel Nos.: 1009-502-13-0000

ADJACENT LAND USE DESIGNATIONS AND USES



	<i>General Plan</i>	<i>Zoning</i>	<i>Use of Property</i>
Site	General Commercial	Commercial (C-HBSP)	Coin-operated carwash
North	Low, 3-7 Units per Acre	R-1 (6 du/ac)	Single Family Residential
South	General Commercial	Commercial (C-HBSP)	Vacant Lot/Reeder Ranch
East	Medium, 8-14 units/acre	Mobile Home Park (MHP-HBSP)	Mobile Homes
West	General Commercial	Commercial (C-HBSP)	Commercial Multi-tenant Shopping Center (Larry's Plaza)

Report on Item Number 6.a

PUBLIC HEARING – CASE NUMBER 2020-22

APPLICATION TYPE(S)	Conditional Use Permit and Precise Plan of Design
NAME OF APPLICANT(S)	Gagik Muradyan, Irina Muradyan and Valentina Abelyan (Property Owners and Business Operators)
LOCATION OF PROPERTY	4384 Holt Boulevard
GENERAL PLAN DESIGNATION	General Commercial
ZONING DESIGNATION	Commercial – Holt Boulevard Specific Plan (HBSP)
EXISTING LAND USE	Carwash Facility
ENVIRONMENTAL DETERMINATION	Categorically Exempt (Section 15332)
PROJECT PLANNER	Yvonne Nemeth

Project Description

The applicants are requesting approval of a Conditional Use Permit (CUP) and Precise Plan of Design (PPD) to develop a new automated express carwash facility on the site located at 4384 Holt Boulevard. The new facility's name will remain "Splash N Go" that will replace the existing coin-operated carwash, which has been on the site since the early 1970s. The project does not include a convenience store/vending machines, or the sale of fuel. The project site is 0.79-acre in size and is located within the Holt Boulevard Specific Plan (HBSP).

Site Plan

The proposed facility features a new carwash building, roughly 28 feet in width by 130 feet in length, sited near the center of the subject property. The shape and orientation of the building on the site was designed efficiently to accommodate passenger vehicles and most non-commercial trucks and vans through the carwash process. The building includes an office in the front, facing south to monitor overall operation and traffic circulation. A two-lane service line with a landscaped median divider, and two electronic point-of-sale pay stations (with canopies), provides access to the carwash. Along the northwest corner of the property, is a roundabout area in case a customer chooses to exit and an ingress/egress for Fire Department and Burrtec trash truck access. Entry onto the site would use a new 40-foot wide driveway on Holt Boulevard.

Twenty total parking spaces are provided, 17 customer parking spaces with vacuum equipment located on the west side of the property, and three employee parking spaces would be located entirely to the rear, at the northeast side of the site. A covered trash enclosure is also proposed near the north, rear portion of the property. A new, eight foot high masonry block wall is proposed along the north, east, and west property lines. However, within the 35-foot front yard setback, the maximum height is four feet after which the wall steps up in equal segments to the eight foot height limit.

Carwash Operation

The carwash process starts with the customer entering the site and driving up to the pay stations. Vehicles then proceed to enter the building for the wash and then exit on the south end. The new automatic express carwash process utilizes a conveyor-belt-equipment system that moves vehicles through the machinery in the building, including an "Aerodry" blower. At the end of the carwash cycle, customers may either proceed to the parking spaces with vacuum stations or exit the premises. The carwash utilizes a conveyor belt system, and the timeframe to complete the carwash cycle is five minutes or less. Maximum number of vehicles washed would likely range from 12-15 cars per hour, compared to approximately three to six cars for the existing coin-operated carwash. To minimize the consumption and discharge of water and wastewater, a water recycling system is included to capture, filter, and reuse approximately 75 percent of the water used. No other services (i.e., detailing) are offered.

Proposed hours of operation are between 7:00 a.m. and 10:00 p.m. daily. When closed, the site will be secured via a gate as shown on the site plan. According to the applicant, three employees would staff the operation during business hours. One employee would be at the entrance of the carwash to assist customers upon entering the carwash, one employee would be handling the site maintenance, and one employee would be attending the operation of the equipment.

Design

The overall design of the building is modern in style using a mono curved slope roof design with a building height ranging from 25 feet up to 40 feet for the tower element at the south end of the building. The new building would be constructed of a metal steel material, the main body of which would have a stucco finish. As secondary decorative wall material, the proposed design utilizes Aluminum Composite Material (ACM) panels on the upper portion of the wall and tower elements. A large expansive aluminum window framing with tempered glass is located on the west side of building allowing visibility into the carwash tunnel area. The sign tower gives a height element that would be used for signage and increased visibility from Holt Boulevard.

Colors for the project are as follows:

Proposed Colors	
<i>Building Elements</i>	<i>Color</i>
Walls: stucco, ACM panels, roll-up doors	Benjamin Moore, American White No. 2112-70
Columns and curved roof metal panels	Benjamin Moore, Silver Spring No. 2120-50
Tower element and wrap around trim band	Benjamin Moore, Anchor Gray No. 2126-30

Landscape Plan

A conceptual landscape plan prepared by a licensed landscape architect for the site is included. Landscaping is proposed throughout the site's median and sidewalk areas located within the boundaries of the property. The plan features a variety of trees selected to provide texture, shade, and greenery within the side yard setbacks and center medians along the drive aisles before entering the carwash tunnel, and along the Holt Boulevard frontage of the site. The plan indicates drought tolerant plant materials such as Engelmann Oak, Peppermint Trees, Shoestring Acacias, Seedless Desert Willow, and several Windmill Palms. Bruno Red-Yellow Kangaroo Paw, Orange Bulbine, Baby Bliss Flax Lily, Little Rev Flax Lily, Dwarf Chalk Fingers, and Berlander's sundrops for perennial groundcover with Mound San Bruno Coffee Berry, Oregon Grapes, and Cat Claw Vines for shrubbery.

Finally, an underground hydrodynamic separator to treat stormwater runoff without the need for retention basins will be utilized in compliance with the Water Quality Management Plan (WQMP) prepared for this project.

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

Background

- The subject 0.79-acre parcel is zoned "Commercial" within the Holt Boulevard Specific Plan (HBSP) the south side of which is developed with an existing 1,728-square foot coin-operated carwash and outdated surface parking area with deteriorating block walls and a metal fence to block access from the undeveloped northern portion of the lot.
- Building records indicate the existing coin-operated carwash and site improvements were completed and developed in 1971 (pursuant to CUP No. 316). Staff was unable to locate records for the said case file.
- The existing coin-operated carwash is a self-service operation where the customer washes his or her own vehicle with the provided equipment and bay/location. The equipment provided includes a water sprayer, brushes, and some form of chemicals that is less intensive in terms of its current use. The self-serve carwash volume and

throughput is customer dictated. With the existing four bays, coin-operated carwash model, customers choose how long they want to spend washing their vehicles. That said, in general the typical capacity is roughly three to six cars an hour per bay (depending on customer preference and behavior) for a coin-operated carwash.

- The applicant and business owner of the property acquired the subject site in September 2019.
- According to MarketScale.com, MacNeil Wash Systems has been in the carwash equipment business for over 30 years and is known for their heavy-duty choice, earning their reputation for reliable performance, solid engineering, and innovative conveyor design.
- Surrounding land uses include commercial uses (Larry's Plaza Shopping Center) to the west, single-family residences to the north and southwest, a vacant lot directly south, and mobile home residences to the east.

Planning Division Comments

Staff strongly supports the project, as this would be a major improvement to the site. Given the age of the existing outdated coin-operated carwash, this proposal represents a good step forward for improving an underutilized site and making a positive improvement to the appearance of Holt Boulevard. Moreover, the request for a CUP and PPD to develop a new facility on the site allows for major improvements to be made.

Due to concerns regarding the close proximity of residences on the north (Single Family Residential Homes) and east (Mobile Home Park) sides of the site, staff requested the applicant complete a noise and vibration study, including an air quality and greenhouse gas emissions (GHG) study for the construction and operation of the proposed automatic express carwash facility.

Noise and Vibration Study

The applicant hired Rincon Consultants, Inc. to conduct the acoustical analysis. The study determined the project would generate both temporary construction-related noise, and long-term noise associated with the operation of the project. However, the construction noise would not exceed Federal Transit Administration (FTA) standards at the nearby land uses and the impacts from construction noise would be less than significant. Furthermore, according to MMC's Noise Control Section 6.12.060, construction noise is exempt due to its temporary nature provided that such activities do not take place between the hours of 8:00 p.m. to 7:00 a.m. A condition regarding construction noise is included in the proposed Resolution. In terms of vibration, the new automatic express carwash would generate ground borne vibrations during construction but would not exceed the applicable vibration threshold at the nearest structures, and construction related vibration impacts would be less than significant.

Additionally, the report analyzed the projected noise impacts of the automatic express carwash when in operation. Analysis is based on improvements that included an eight-foot block wall along the northern and eastern perimeters, and along portions of the northwestern perimeter. The noisiest element of the carwash process is the use of blowers used to dry off the vehicles. Projected levels from blower noise during normal business hours (7:00 a.m. to 10:00 p.m.) could be up to 51.1 dBA at nearby residential properties. The 51.1 dBA would not exceed City's residential noise limit of 55 dBA or commercial noise limit of 65 dBA and impacts; therefore, noise impacts would be less than significant. Moreover, the noise generated by the blower is directed southward toward Holt Boulevard and away from adjacent residential uses. A condition of approval was added to revise the business operation from 7:00 a.m. to 9:00 p.m., daily, in consideration of the neighboring residential properties.

Air Quality and Greenhouse Gas Emissions Study

Rincon Consultants, Inc. also analyzed the potential air quality and greenhouse (GHG) emissions impacts of the proposed construction and operation of the carwash project. In summary of the detailed report as it relates to the proposed carwash, the project would comply with the latest Title 24 Green Building Code and Building Efficiency Energy Standards the AB 341 diversion goal of 75 percent. The project is consistent with the applicable GHG reduction strategies in the latest 2017 Scoping Plan.

Staff evaluated the reports and finds them acceptable so long as the proposed eight-foot high block wall along the northern and eastern perimeters and along portions of the northwestern perimeter are in place to help mitigate and buffer any negative impacts to the neighboring residential properties as part of the applicant's scope of work. The detailed reports for the proposed project are located within the project file and are available for review at the Planning Division.

Precise Plan of Design

Staff has worked closely with the applicant to refine the site plan, landscaping, trash enclosure design, and onsite circulation. Staff finds the new modern building design to be appropriate and the on-site improvements, including landscaping, new block walls, trash enclosure, and exterior lighting. As part of the modification to the existing driveway entry, the City's Public Works Department has also added conditions requiring the replacement of all damaged sidewalk, existing lifted or cracked curb gutter, damaged utility pull box lids, etc. within the adjacent public right-of-way.

Proposed landscaping will add visual interest throughout the site, and all new plant materials would be water-saving varieties. In addition, the proposed irrigation system would be designed to conserve water in compliance with the City's Water Conservation Ordinance. When completed, the new project proposal would be a positive improvement

and the new landscaping throughout the site will make a dramatic change to the streetscape.

Circulation

The plans were reviewed by the City's Public Works, Building, Fire Departments, and Burrtec to address concerns related to onsite circulation, ingress, egress, parking, backup, and queuing. The new site plan provides for one-way access from Holt Boulevard and onsite circulation roundabouts to the rear. The site design has addressed employee parking spaces to the site including trash pickup and ADA requirements. Additionally, the Public Works Department conducted three different vehicle-turning scenarios for a compact sedan, full-sized sedan, and a mid-size sports utility vehicle (SUV). For a full-size sedan and mid-sized SUV, there may be a slight overlap along the ingress/egress drive aisle. However, this could be addressed at staff level to either reduce the southwest landscape planter in front to widen the drive aisle and drive approach, or the employee that is stationed at the entrance of the carwash needs to assist customers upon entering and exiting the carwash. Either way, staff does not anticipate any issues related to onsite circulation.

Conditions of approval are added to ensure that an employee is stationed near the entrance to provide traffic clearance or continue working with the applicant on refining the site plan. All parking spaces are delineated and separated with painted-dividers (double-striped) parking spaces and marked lanes that clearly distinguish ingress/egress lanes.

Conditional Use Permit Findings

Staff believes the required findings for granting a Conditional Use Permit (CUP) to allow the demolition of the existing coin-operated carwash and build a new automatic express carwash, including associated site improvements, in the Commercial zone of the Holt Boulevard Specific Plan (HBSP) are as follows:

- A. The proposed automatic express carwash use is essential or desirable to the public convenience and public welfare. The new automated carwash facility will provide the surrounding community an option for a quick and more efficient carwash than previously available at this site.
- B. That granting the CUP for the automatic express carwash use will not be materially detrimental to the public welfare and to other properties in the vicinity. The proposed development represents a complete upgrade to the site in a well-designed and appropriately located facility with little to no impacts. The project site has easy and safe access from developed streets, meets all applicable development standards, and when completed, will have a positive impact to the area and surrounding streetscape. Additionally, the Noise, Vibration, Air Quality and Greenhouse Gas Emissions Studies show less than significant impacts to the surrounding properties. Lastly, conditions of approval proposed ensure the

operation of the automatic express carwash, including the requirement to install and operate security cameras, will help to minimize potential adverse impacts to the area.

- C. That such use in such location conforms to good zoning practices, in that the proposed automatic express carwash use is consistent with the types of uses permitted in the Commercial zone of the Holt Boulevard Specific Plan (HBSP), subject to CUP approval.
- D. That such use in such location is not contrary to the objectives of any part of the General Plan, in that the adopted General Plan encourages orderly development with respect to adopted land use plans, and the continual improvement of the City as a place for attractive commercial uses while minimizing potential detrimental impacts on surrounding properties.

Public Notice and Comments from the Public

This item was published as a public hearing in the Inland Valley Daily Bulletin newspaper on February 12, 2021, as prescribed by law for the discretionary land use entitlements. Public hearing notices were mailed to all property owners within 300 feet from the boundaries of the subject property. To date, no inquiries regarding the project were submitted to staff.

Environmental Assessment

The project is deemed to be exempt from the California Environmental Quality Act, pursuant to Section 15332 of State CEQA Guidelines, in that Class 32 covers infill projects in significantly developed areas. The proposed development of an automatic express carwash is consistent with the applicable policies of the General Plan, Commercial zone of the Holt Boulevard Specific Plan (HBSP), is less than five acres in area, has utilities present in the area to serve the development, and is similar to other existing commercial uses in the vicinity.

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 32 exemption under State CEQA Guidelines Section 15332.
- B. Move to approve the automatic express carwash and associated site improvements, under Case No. 2020-22 for a Conditional Use Permit and Precise

Plan of Design, for the property located at 4384 Holt Boulevard, per the submitted plans and as described in the staff report, subject to the conditions of approval in attached Resolution 21-1947.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael Diaz". The signature is fluid and cursive, with a large, prominent "D" at the end.

Michael Diaz
Community Development Director

Attachment: Draft Resolution No. 21-1947

c: Gagik Muradyan and Irina Muradyan, 1906 Polaris Drive, Glendale, CA 91208
Valentina Abelyan, 9810 Wheatland Ave, Shadow Hills, CA 91040
A&S Engineering, 28405 Sand Canyon Road, Canyon Country, CA 91387

Z:\COMMDEV\YVONNE NEMETH\CASES\2020-22\SPLASH N' GO RPT

RESOLUTION NUMBER 21-1947

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING A CONDITIONAL USE PERMIT AND PRECISE PLAN OF DESIGN UNDER CASE NO. 2020-22 FOR THE SITE PLAN, FLOOR PLAN, ELEVATIONS, COLORS, MATERIALS, AND CONCEPTUAL LANDSCAPE PLAN ASSOCIATED WITH AN AUTOMATIC EXPRESS CARWASH ON A 0.79 ACRE SITE AT 4384 HOLT BOULEVARD, WITHIN THE COMMERCIAL ZONE OF THE HOLT BOULEVARD SPECIFIC PLAN (APN 1009-502-13-0000)

A. Recitals.

WHEREAS, on September 10, 2020, Gagik Muradyan, Irina Muradyan, and Valentina Abelyan, property and business owners of Splash N' Go, filed for a Conditional Use Permit (CUP) and Precise Plan of Design (PPD) application to demolish an existing coin-operated carwash facility, and allow new development of a 3,300 square-foot automatic express carwash building, including extensive site improvements on the property addressed as 4384 Holt Boulevard; and

WHEREAS, the subject site presently consists of an existing 1,728 square-foot coin-operated carwash facility previously approved in 1971 under Conditional Use Permit Case No. 316; and

WHEREAS, the northern third of the site subject site is undeveloped and not in use; and

WHEREAS, the new CUP and PPD would address the full development of the site with an up-to-date facility and site improvements that the previous CUP did not include; and

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

WHEREAS, the proposed development has been designed in accordance with the applicable development standards of the Commercial zone of the Holt Boulevard Specific Plan (HBSP), including setbacks, building height, landscaping, and parking; and

WHEREAS, the Planning Division has determined the project to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15332 of the State CEQA Guidelines which covers infill projects in significantly developed areas. The proposed development of a fully automatic express carwash is

consistent with the applicable policies of the General Plan, Commercial zone of the Holt Boulevard Specific Plan (HBSP), is less than five acres in area, has utilities present in the area to serve the development, and is similar to other existing commercial uses in the vicinity. As such, there is no substantial evidence the project will pose a potential significant impact to the environment; and

WHEREAS, this item was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on February 12, 2021. Public hearing notices were also mailed to property owners within the 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, the Planning Commission has reviewed the Planning Division's determination that the proposed automatic express carwash is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 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, a notice of public hearing was duly given and posted in the manner and for the time frame prescribed by law; and

WHEREAS, in compliance with the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, a non-person remote meeting was conducted at 7:00 p.m. on February 22, 2021, at which time all persons wishing to testify in connection with said application were heard, and said application was fully considered.

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 February 22, 2021, including written and oral staff reports, together with public testimony, this Commission hereby finds as follows:
 - A. The proposed automatic express carwash use is essential or desirable to the public convenience and public welfare. The new automated carwash facility will provide the surrounding community an option to quickly and more efficiently obtain a carwash than previously available at this site.

- B. That granting the CUP for the automatic express carwash use will not be materially detrimental to the public welfare and to other properties in the vicinity. The proposed development represents a complete upgrade to the site in a well-designed and appropriately located facility with little to no impacts. The project site has easy and safe access from developed streets, meets all applicable development standards, and when completed, will have a positive impact to the area and surrounding streetscape. Additionally, the Noise, Vibration, Air Quality and Greenhouse Gas Emissions Studies show less than significant impacts to the surrounding properties. Lastly, conditions of approval are proposed to ensure that the operation of the automatic express carwash, including the requirement to install and operate security cameras, will help to minimize potential adverse impacts to the area.
- C. That such use in such location conforms to good zoning practices, in that the proposed use is consistent with the types of uses permitted in the Commercial zone of the Holt Boulevard Specific Plan (HBSP), subject to CUP approval.
- D. That such use in such location is not contrary to the objectives of any part of the General Plan, in that the adopted General Plan encourages orderly development with respect to adopted land use plans, and the continual improvement of the City as a place for attractive commercial uses while minimizing potential detrimental impacts on surrounding properties.

C. Conditions of Approval.

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 Division

1. This Conditional Use Permit (CUP) approval is hereby granted to allow the following at 4384 Holt Boulevard:
 - a. A Conditional Use Permit to allow a fully automatic express carwash use at the above location as described in the staff report; and
 - b. A Precise Plan of Design for the site plan, floor plans, elevations, colors, materials, and landscaping associated with the development of a fully automated, 3,300 square-foot automatic express carwash at 4384 Holt Boulevard as depicted on the submitted plans and as described in the staff report.

2. This approval shall supersede all previously approved land use entitlements for projects on the subject property.
3. This 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.
4. In establishing and conducting the subject use, the applicant shall at all times comply with any and all laws, ordinances, and regulations of the City of Montclair, the County of San Bernardino, and the State of California. Approval of this CUP and PPD shall not waive compliance with any such requirements.
5. This decision or any aspect of this decision may be appealed to the City Council within 15 days from the date of Planning Commission action, subject to filing the appropriate forms and related fees.
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 **\$754.55**, made payable to "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.
 - c. A check in the amount of **\$247.50**, made payable to "City of Montclair," for preliminary plan review by the Fire Prevention Bureau (reference Case No. 2020-22, 4384 Holt Boulevard).
7. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 15 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. The subject property shall be developed in accordance with approved plans and specifications on file with the City of Montclair, Planning Division.
10. No form of detailing, hand washing of vehicles, or entertainment are part of this approval.
11. Any discontinuation or substantial changes to the approved operation of the automatic express carwash without prior City review and approval shall be a violation of this CUP and may be cause for revocation. Upon transfer, sale or re-assignment of the automatic express carwash to another individual or entity, the applicant shall make full disclosure of the CUP requirements and restrictions to future buyers, transferees or assignees.
12. The developer shall submit for the necessary permits from the Building Department and pay all applicable City of Montclair development fees prior to issuance of any permits.
13. This is not an approval to begin work. No work shall commence until the City of Montclair has issued building permits and all other appropriate permits.
14. Noise sources associated with construction, repair, remodeling or grading of the site, provided said activities do not take place between the hours of 8:00 p.m. and 7:00 a.m. on any given day and provided that the Building Official determines that the public health and safety will not be impaired. Industrial or commercial construction or public improvements, not otherwise feasible except between these hours, may be approved on a limited, short-term basis, subject to the approval of the Community Development Director.
15. In the event conditions of approval by the Planning Commission (as the case may be) require the revision of plans as submitted, the applicant shall submit three (3) copies of the approved plan (revised to incorporate conditions of approval) to the Planning Division for record purposes for approval of any grading and/or building permits.
16. No occupancy of any building and/or structure shall be permitted which is not in compliance with approved plans unless the modifications is approved by the Community Development Director as appropriate.
17. Prior to the commencement of business activities, the business owner shall apply for and obtain a new, or amended, 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.
18. Automatic express carwash hours shall be limited to 7:00 a.m. to 9:00 p.m., daily. Any extension of the carwash hours beyond the limits stated herein

shall require written notification to the Planning Division and is subject to City approval.

19. 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 provisions of the Montclair Municipal Code. Failure to comply with any of the conditions of approval shall be deemed sufficient grounds to initiate revocation proceedings regarding the Conditional Use Permit and Precise Plan of Design approvals.
20. The on-site manager of the use shall take whatever steps are deemed necessary to assure the orderly conduct of employees, patrons, and visitors on the premises, including the onsite circulation of all vehicles. No loud music, noise, or other sounds by means of radio or other broadcasting apparatus or devices, engines, or other nuisance which disturbs the quiet and peace of the premises or the neighborhood shall be permitted.
21. The applicant and subsequent property owners and users shall comply with the following operational standards:
 - a. All on-site improvements, including vacuum equipment, exterior lighting, signs, landscaping, etc., shall be maintained in working condition at all times. Damaged or unsightly materials shall be properly repaired and made operational in the shortest time possible.
 - b. The premises shall be maintained at all times in a neat and orderly manner consistent with this approval.
 - c. No outdoor storage on the site shall be allowed including personal or business items (including storage containers or motor vehicles) shall be allowed.
 - d. No public telephones, vending machines, collection boxes, children’s rides or other coin-operated machines shall be located on the property.
 - e. Trash receptacles shall be provided in such number and at such locations as may be specified by the Planning Division.
 - f. No alcoholic beverages may be sold or consumed on the premises.
22. Prior to the issuance of building permits, the applicant shall submit the following plans for plan check by the Building and Planning Divisions:
 - a. Block wall plan for the entire site that shows the elevation and specifications. The design of the block wall shall be complementary to

the overall appearance of the new building and constructed of durable and easily maintained materials as follows:

- i. The maximum height of the walls shall not exceed eight feet (8'-0") in height along the north (rear), east, and northwest side property lines as shown on the approved plans, adjusted for existing grade conditions, and subject to the satisfaction of the Community Development Director. Proposed wall along the southerly (front) property line shall be a maximum of 4'-0" in height for the first 35 feet (front yard setback) as measured from back of public sidewalk on Holt Boulevard, then gradually step up/slope up in equal segments to 8'-0" in height to ensure a smooth transition in overall height. All block walls must provide a wall cap. The use of chain-link fencing and security deterrents such as barbed or concertina wires are expressly prohibited on any portion of the property.
 - ii. Roll-up gates shall be made accessible to emergency personnel (Police and Fire) during times when said gates are in a closed position. Contact the Montclair Fire Department for further information and requirements.
 - iii. When removing the existing perimeter block walls, and installing/replacing the perimeter block walls throughout the site, special consideration is required to ensure that the abutting residential properties are not negatively impacted with the construction of the site. The applicant shall provide a minimum of **90-days notification** prior to the date of removal to all the abutting residential properties informing the timeline from start to finish: Exact date and time of removal, what to expect and what the residents should do to prepare (i.e., secure their site), completion date; and contact person and phone number to reach in case of an emergency.
- b. An exterior lighting and photometric plan for the entire site. The plans shall indicate the location of all exterior light fixtures (area, building, parking lot, etc.) and the overall illumination levels across the site. All proposed exterior lighting shall comply with the following standards:
- i. Provide a minimum maintained illumination level of one (1) foot-candle across the site.
 - ii. All lighting fixtures shall be vandal-resistant and of a design that complements the architecture of the building.
 - iii. All parking lot and other freestanding light fixtures shall incorporate 90-degree cut-off style luminaires and flat lenses

so as to direct illumination downward to the surface to be illuminated and away from the 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 north, east, and 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 prohibited.
 - vii. “Wall-washers” or decorative landscape lighting shall be subject to review and approval by the Planning Division.
- c. The trash enclosure(s) shall have a solid roof cover and be designed to complement the overall architecture of the main building. Contact Burrtec Waste Industries to determine the number of required bins to support the most likely end user(s) of the building.
23. All automobile parking spaces shall be clearly delineated with double-line (e.g. “hairpin”) striping.
24. Prior to the installation of any signs, a licensed sign contractor or property owner shall submit a Sign Permit Application and set of scaled plans to the Planning Division for review and approval. The set of plans shall be drawn to scale, and include all proposed building mounted signs, directional signs, wall mounted, and freestanding monument signs. All permanent signs shall be installed by a licensed and insured sign contractor only. Building permits for installation of all signs shall be required. The plans shall also comply with the following standards:
- a. All wall signs shall utilize individual routed channel letters with dimensional logos.
 - b. Building mounted signs shall be limited to the name/nature of the business only and numerical address.

- c. Exposed raceways shall be prohibited for all building-mounted and freestanding signs.
- 25. 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 immediately.
- 26. Temporary promotional signs shall comply with Chapter 11.72 of the Montclair Municipal Code, including, but not limited to the following:
 - a. Temporary banners for the purpose of announcing the grand opening or advertising promotions shall require a banner permit from the Planning Division prior to installation.
 - b. Promotional window signs shall not occupy more than 25 percent of the aggregate window area.
 - c. At no time shall pennants, inflatable signs, "human" signs, or other similar advertising devices be utilized on the property or off-site.
- 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. All roof-mounted mechanical equipment (e.g., vents, meters, HVAC units, ducts, conduits, 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.
- 29. Screening of roof-mounted equipment shall be accomplished by either raised parapet tower walls of adequate height or by means of a mechanical roof well recessed below the roofline. 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 Community Development Director.
- 30. 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.
- 31. 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 Community Development Director.

32. Freestanding electrical transformers and double check detector assembly (DCDA) equipment shall be painted and screened with a powder-coated green backflow armor and backflow enclosure to prevent vandalism.
33. No outdoor display areas for merchandise are allowed at any time.
34. All satellite dish antennas, microwave receivers and transmitters, and other forms of communication equipment shall be located in a manner in accordance with the provisions of Chapter 11.46 of the Montclair Municipal Code.
35. At no time shall any storage occur in the area outside the exterior of the carwash building, including shelving, boxes, supplies, etc.
36. 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.
37. Graffiti or etching of glass/window 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 entirely to the color of the adjacent surfaces.
38. Prior to issuance of a Certificate of Occupancy, the applicant shall install all approved landscaping materials on the site, subject to the satisfaction of the Community Development Director. The following standards shall apply:
 - a. All shrubs shall be minimum five-gallon container size.
 - b. All trees shall be a minimum 36-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.
 - e. Within the public right-of-way, any tree plantings shall be setback a minimum of five feet behind (back of) sidewalk to prevent tree root damage to the public sidewalk in the future.
39. All landscaping and irrigation systems shall be maintained in accordance with the approved site and/or landscape plan to ensure water use efficiency.

40. All plant materials that does not survive or is removed or destroyed shall be replaced upon its demise or removal with plant materials of a like type and size as that originally approved and installed.
41. 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.
42. A copy of the CUP approval letter and resolution with all conditions of approval related to the application shall be conspicuously posted alongside the establishment's Business License and Certificate of Occupancy and shall be made available to law enforcement officers, Code Enforcement officers, and/or Fire and Building inspectors in the course of conducting inspections of said premises.
43. 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.
44. 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:

45. 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. Waste recycling plan, recycling 65% of all construction debris
 - g. Submit two sets of structural calculations, if required and two sets energy conservation calculations.
 - h. Soils Report
46. 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.
47. A building, structure, sewage system, utility line, eave or projection of a structure, or similar shall not cross over a property line so as to encroach on another property. All property, if separated by property line, shall be merged into a singular property by way of lot merger before the beginning of improvements to the site.
48. Architect's/Engineer's stamp and "wet" signature are required prior to plan check approval.
49. Submit detailed plans for all walls and fencing associated with the project.
50. 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%).

51. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.
52. 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.
53. 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.
54. 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.
55. Each unit shall have individual and independent one-hour separation walls enveloping each assigned airspace or unit and independent utility meters, sewer and water connections and fire protection systems, subject to the review and approval of the Public Works, Community Development and Fire Departments.
56. 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.
57. 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.
58. 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.
59. 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.
60. 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.

61. 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:
62. The numerical address of the building shall be displayed in a maximum of two locations on the east-facing elevation as follows:
63. 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.
64. 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.
65. 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.
66. Underground Service Alert shall be notified 48 hours prior to any excavation at (800) 422-4133.
67. 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.
68. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.
69. 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 approved final inspections from all City Departments and approval of all conditions.
70. 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 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 Water Quality Management Plan.

71. 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.
72. 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) 2019 edition, Chapter 11B, in addition to access to each feature of the trailer.

Environmental

73. Trash enclosures must be designed in accordance with the provisions of AB 341 Mandatory Commercial Recycling and AB 1826 Mandatory Commercial Organics Recycling as established by California Department of Resources Recycling and Recovery (CalRecycle). Submit documentation to the Public Works Department (ssanton@cityofmontclair.org). Contact Steve Stanton at (909) 625-9444 for more information.
74. Documentation from Burrtec Waste Industries, Inc. (Burrtec) indicating that a service agreement has been set up with Burrtec that meets all Mandatory Commercial Recycling Requirements (AB 341) and Mandatory Organics Recycling Requirements (AB 1826) for waste hauling as established by the State of California and that the appropriate number of refuse/recycling dumpsters has been established is required. Submit documentation to the Public Works Department (ssanton@cityofmontclair.org). Contact Steve Stanton at (909) 625-9444 for more information.
75. The future tenant/occupant of the building must complete and submit the City of Montclair's Wastewater Discharge Survey to Submit documentation to the Public Works Department (ssanton@cityofmontclair.org). Contact Steve Stanton at (909) 625-9444 for review to determine pretreatment/wastewater discharge requirements.
76. Discharge of wastewater into the City of Montclair sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.

77. 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).
78. Connection to the City of Montclair Sanitary Sewer System is required. Additional comments may follow pending submittal of plans for plan check review.

Public Works

79. 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.
80. 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.
81. All streets public and private shall have sidewalks conforming to Americans with Disabilities Act.
82. The existing driveways shall be removed and replaced with ADA compliant driveway. Right-of-way dedication may be needed in order to provide ADA compliant sidewalk/driveway approach area.
83. Streetlights shall be provided on all public and private streets. The minimum lighting level for all streets shall be to the satisfaction of the City Engineer. Plans shall include point by point foot-candle values arranged in a grid verifying a minimum lighting level of 2 foot-candles throughout every intersection.
84. Developer shall have an SCE owned street light placed to illuminate the sidewalk at the driveway.
85. Monument signs shall not be permitted in the line of sight triangles next to driveway locations (see City STD 110).
86. All pavement damaged by excavation will be replaced with permanent pavement per the City Standard for paving and trench repair STD No. 301.
87. 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.
88. 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.

89. The developer shall make payment of Regional Sewerage Capital Outlay fees as specified in the Montclair Municipal Code and by Inland Empire Utilities Agency.
90. Discharge of wastewater into the sewer collection system shall conform to all requirements of the Montclair Municipal Code.
91. Sewers intended to be maintained by the City of Montclair shall be designed and constructed per Public Works Department standards, and shall be located in public streets or easements dedicated to the City for sanitary sewer purposes. Sewers not constructed per Public Works Department standards shall be constructed per California Building Code and City of Montclair Building Division requirements and shall be privately maintained.
92. 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 Steve Stanton at 909-625-9444.
93. 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.
94. All drainage facilities shall comply with requirements of the approved WQMP.
95. 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.
96. Underground Service Alert shall be notified at least 48 hours prior to any

Fire

97. The project shall comply with all applicable requirements set forth in the 2019 California Fire Code (CFC).
98. Prior to the issuance of a grading permit a fire department access plan shall be submitted to the Montclair Fire Prevention Bureau for review and approval.
99. Prior to construction a temporary address sign shall be posted and clearly visible from the street.
100. The permanent building address shall be provided and either internally or

externally lighted during hours of darkness. The address shall be clearly visible from the street fronting the property and comply with California Fire Code Section 505.1 for size and color.

101. The building shall be provided with fire sprinklers in accordance with NFPA 13. Construction plans shall be submitted for review and approval to the City of Montclair prior to installation.
102. A fire hydrant shall be provided within 50 feet of the Fire Department Connection.
103. All required fire hydrants shall be readily visible and immediately accessible. A clear space of not less than 3-feet shall be maintained at all times.
104. All required fire hydrants shall be installed and operational prior to building construction. All fire hydrants shall remain operational during construction.
105. Prior to the to the issuance of a grading permits, evidence of sufficient fire flow of 1500 GPM for 2 hours shall be provided to Montclair Fire Prevention Bureau. Fire flow information can be obtained from Monte Vista Water District.
106. Prior to the issuance of building permits a City of Montclair Chemical Classification Disclosure shall be submitted for review and approval to Montclair Fire Prevention Bureau. All hazardous materials as defined by the fire code that will either be stored or used at the facility shall be disclosed.

Police

107. 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.
108. The activity level of the business shall be monitored by the Police Department to establish the level of police services used for the business. Should the level of police services demonstrate that the applicant has not controlled excessive, or unnecessary activity resulting in high use of police services then this Conditional Use Permit shall be reviewed for consideration of further conditions, modifications or revocation.
109. 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.

110. If applicable, 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.
111. 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, and one camera per entrance/exit door. 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. Cameras shall be capable of no less a resolution than 1920x1080 pixels, otherwise known as 1080p. All cameras shall have IR or low light capability. 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 reduce frame-rate when no motion is detected, however must record at no less than 30 frames per second when motion is detected. Motion sensors shall be configured to activate properly in all areas covered including the parking area, if applicable. 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.
112. 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 22ND DAY OF FEBRUARY, 2021

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____
Barry Rowley, 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 22nd day of February, 2021, by the following vote, to-wit:

AYES:

NOES:

ABSENT: