



REGULAR ADJOURNED MEETING OF THE
MONTCLAIR PLANNING COMMISSION

to be held in the Council Chambers
5111 Benito Street, Montclair, California

Monday, August 14, 2023
7:00 p.m.

Remote Participation Information:
Zoom Link: <https://zoom.us/j/95858571900>
Dial Number: 1-(669)-900-6833
Meeting ID: 95858571900

*To make a public comment or speak on an agenda item, including a public hearing, please complete the online public comment form at <https://www.cityofmontclair.org/public-comment/>. Written comments (200-word limit per agenda item and 200-word limit for all non-agenda items combined) and requests to speak can also be emailed to pcclerk@cityofmontclair.org at least one hour before the meeting begins. The chair (or the meeting's Presiding Officer) will call on those who submitted requests to speak at the appropriate time during the meeting. Those participating remotely may request to speak using the "raise hand" function in Zoom (dial *9 if on the phone, and then *6 to un-mute when called on to speak).*

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. SWEARING-IN CEREMONY OF APPOINTED AND REAPPOINTED COMMISSIONERS**
- 4. ROLL CALL**

Chair Manny Martinez, Vice Chair Jaso Sanchez, Commissioner Xavier Mendez, Commissioner Krishna Patel, and Commissioner Sergio Sahagun

5. APPROVAL OF MINUTES

The minutes from the March 13, 2023, meeting were presented for approval.
The minutes from the May 22, 2023, meeting were presented for approval.

6. 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 an online public comment form as described above.

7. AGENDA ITEMS

- a. CASE NUMBER 2023-18
Project Address: 5483 Moreno Street
Project Applicant: Costa Mesa, LLC
Project Planner: Silvia Gutiérrez
Request: Precise Plan of Design (PPD) request for the site plan, elevations, landscape plan, colors, and materials associated with the proposed remodel of an existing 28,000 SF building to accommodate a robotic tire installation facility and associated site development improvements on the 1.62-acre site at 5483 Moreno Street.

Environmental Assessment

The Planning Division has determined this project to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA). The proposed exterior building and site improvements are categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the State CEQA Guidelines. The project qualifies because it is on a fully developed site and involves minor exterior and interior improvements and limited site changes will not involve grading. As such, there is no substantial evidence the project will pose a potentially significant impact to the environment.

8. 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 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.

9. PUBLIC INSPECTION OF MATERIALS

Reports, backup materials, and additional materials related to this project item can be viewed on our website www.cityofmontclair.org/agendas by clicking on the Planning Commission agenda for August 14, 2023.

10. ADJOURNMENT

The City of Montclair Planning Commission meeting is adjourned to the regularly scheduled meeting of August 28, 2023, at 7:00 p.m.

CERTIFICATION OF AGENDA POSTING

I, Michael Diaz, Secretary of the Montclair Planning Commission, hereby certify that a copy of this agenda was posted on the bulletin board adjacent to the north door of Montclair City Hall on August 10, 2023.



CITY OF MONTCLAIR PLANNING COMMISSION

MEETING DATE: 8/14/23

AGENDA ITEM 6.a

Case No: 2023-18

Application: Precise Plan of Design (PPD) request for the site plan, elevations, landscape plan, colors, and materials associated with the proposed remodel of an existing 28,000 SF building to accommodate a robotic tire installation facility and associated site development improvements on the 1.62-acre site at 5483 Moreno Street

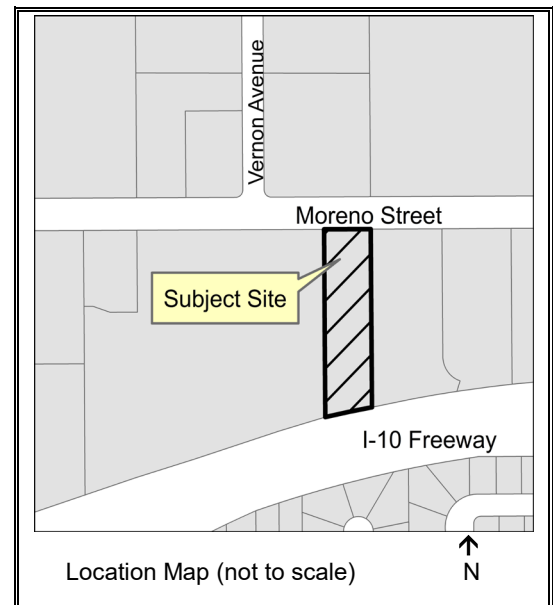
Project Address: 5483 Moreno Street

Applicant: Costa Mesa, LLC

General Plan: Regional Commercial

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

Assessor Parcel No.: 1008-201-01



EXISTING SITE FEATURES/CONDITIONS

Structures: Existing one-story commercial building

Parking: 52 parking stalls, including 4 disabled-accessible spaces

ADJACENT LAND USE DESIGNATIONS AND USES

	<i>General Plan</i>	<i>Zoning</i>	<i>Actual Use of Property</i>
Site	Regional Commercial	C-3 (General Commercial)	Vacant commercial building
North	Regional Commercial	C-3 (General Commercial)	Multiple tenant commercial center
East	Regional Commercial	C-3 (General Commercial)	911 Design auto center
South	Low Density Residential (3-7 du/acre)	R-1 (Single-Family Residential)	Single-family residences
West	Regional Commercial	C-3 (General Commercial)	Montclair East Shopping Center

Report on Item Number 6.a

CASE NUMBER 2023-18

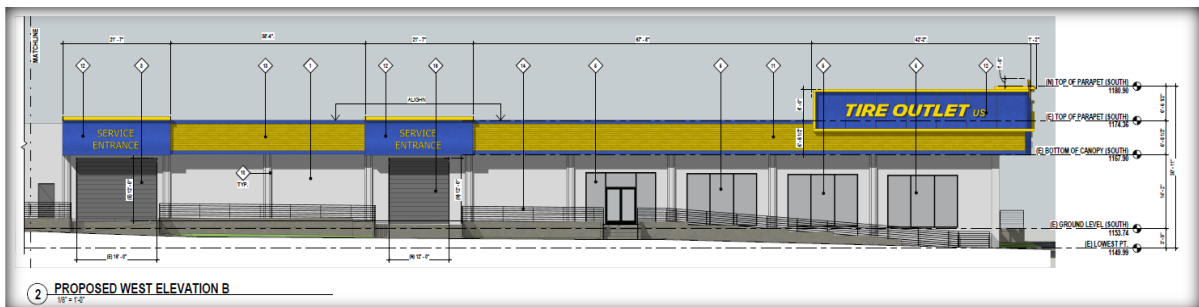
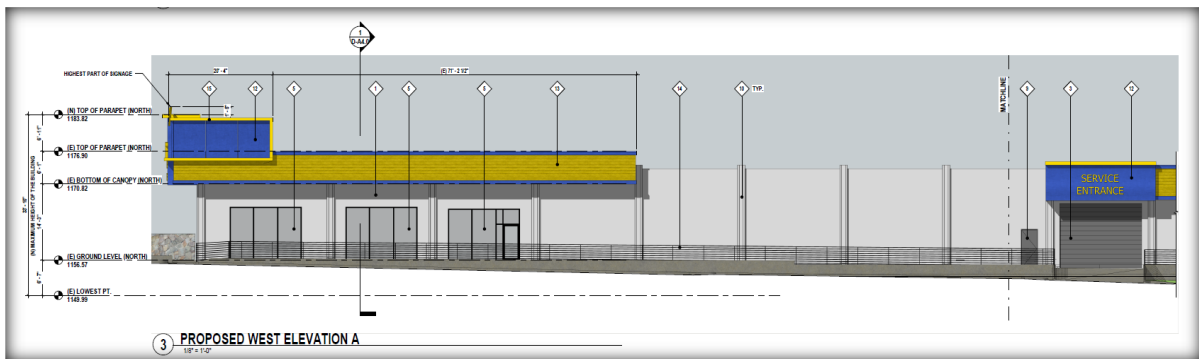
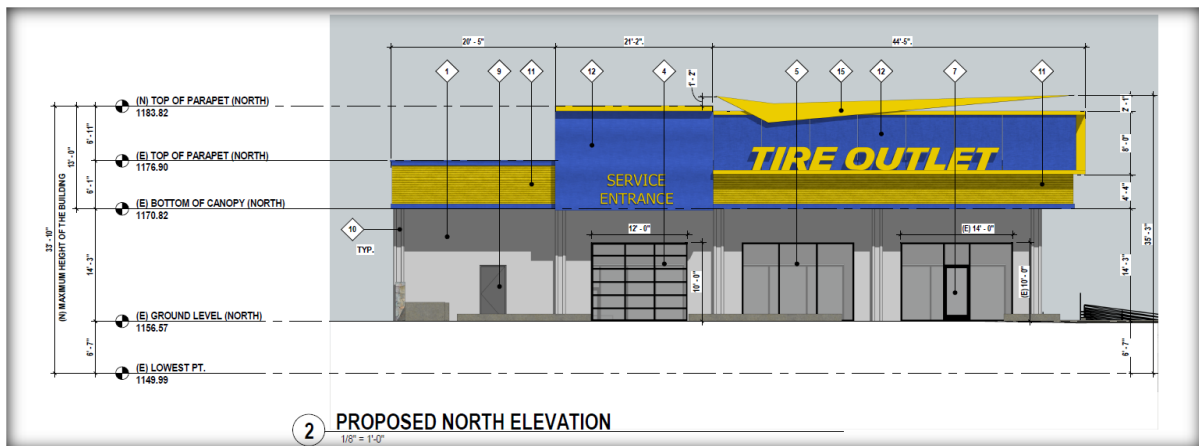
APPLICATION TYPE(S)	Precise Plan of Design
NAME OF APPLICANT(S)	Costa Mesa, LLC
LOCATION OF PROPERTY	5483 Moreno Street
GENERAL PLAN DESIGNATION	General Commercial
ZONING DESIGNATION	General Commercial (C-3) per the <i>North Montclair Specific Plan</i>
EXISTING LAND USE	Vacant Commercial Building
ENVIRONMENTAL DETERMINATION	Categorically Exempt (Section 15301)
PROJECT PLANNER	Silvia Gutiérrez

Project Description

The property owner is requesting approval of a Precise Plan of Design to remodel the existing 28,000 SF single-story building at the above reference address. The existing site is approximately 1.62-acre in size and is situated midblock between Benson and Central Avenues.

The proposed project includes the following improvements:

- Interior/exterior improvements to the existing 28,000 SF one-story building to create new offices, restrooms, and service bays to accommodate new “robotic express tire installation machines” within the building that are designed to provide a streamlined and quick tire change experience for customers.
- Existing storefront windows and doors will remain and a new bi-fold storefront service entry door will be added on the north side facade facing Moreno Street. In addition, two (2) new roll-up metal doors be added to the west side building facade facing the parking lot.
- The addition of a new parapet design element for the building. The new parapet addition will be constructed of lightweight metal and attached to the existing building wall and roof/canopy structures. The proposed parapet improvements will be added to the north, south, and west-facing sides of the building as shown on the proposed elevations below:



- New signage for the new business consisting of the individual channel letter ledge sign and a yellow stylized “checkmark” design element depicted on the north elevation drawing.
- Repainting of the exterior building is proposed. Proposed colors for the new building include blue, and yellow colors will emphasize the corporate trademark around the parapet addition that will enhance the look of the existing building and help in the revitalization of the surrounding areas. As a condition of approval, the entire balance of the building shall be painted white from the building wall edge to edge. The windows will be glass with anodized black frames.

ELEVATION KEYNOTES					
1	(E) TILT-UP CONC. WALLS TO BE REPAINTED WHITE WHERE NEEDED	5	(E) STOREFRONT TO REMAIN	9	(N) MAN DOOR
2	OUTLINE OF ADJ. BUILDING	6	(E) STOREFRONT TO BE REMOVED	10	(E) COLUMNS
3	(E) ROLL-UP DOOR TO REMAIN	7	NEW STOREFRONT TO BE PLACED (E) OPENING	11	(E) CANOPY STRUCTURE TO REMAIN & REFINISHED BY CORRUGATED METAL & ALUM. CLADDING
4	(N) ROLLUP SECTIONAL DOOR BY: COOKSON OR APRVD. EQ. COLOR: TO MATCH EXISTING STOREFRONTS	8	(E) MAN DOOR TO REMAIN	12	(N) CANOPY - ALUMINUM METAL CLADDING-BY: SEVEN COLOR: QS-3126 BLUE
				13	(N) CANOPY - CORRUGATED METAL-PAINTED COLOR: CONFIDENT YELLOW- DEA117 BY: DUNN EDWARDS OR APRVD. EQ.
				14	(E) GUARDRAIL - ADJUST THE HEIGHT TO HAVE MIN. 36"
				15	(N) CANOPY - ALUMINUM METAL CLADDING BY: SEVEN COLOR: QS-3110 YELLOW
				16	(N) ROLLUP DOOR BY: COOKSON OR APRVD. EQ. COLOR: TO MATCH EXISTING ROLL UP DOOR

MATERIAL BOARD



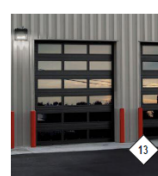
(N) ALUMINUM METAL CLADDING
BY: SEVEN
COLOR: QS-3126 BLUE



(N) ALUMINUM METAL CLADDING
BY: SEVEN
COLOR: QS-3110 YELLOW



(N) PAINTED CORRUGATED METAL
BY: DUNN EDWARDS
COLOR: DEA117



(N) ROLLUP SECTIONAL DOOR
BY: COOKSON OR APRVD. EQ.
COLOR: TO MATCH EXISTING STOREFRONTS



(N) ROLLUP DOOR
BY: COOKSON OR APRVD. EQ.
COLOR: TO MATCH EXISTING ROLL UP DOOR

- Slurry seal/repair of the existing asphalt parking area. The parking area will be restriped for fifty-two (52) parking spaces including four (4) required disabled parking spaces. Updating of wall and parking lot lighting.
- A new covered trash enclosure is to be constructed and relocated to the parking area on the west side of the building.
- Reconstruction of the monument sign to meet City standards.
- New landscaping and irrigation for existing planters, including the renovation of the existing 15-foot deep street side planter area and smaller planter spaces dispersed against the existing building. A total of eleven (11), 24-inch box-size Crape Myrtle trees are proposed for the site, with four (4) along the Moreno Street frontage and the remaining dispersed throughout the planters. Drought-tolerant shrubs and groundcovers (e.g. Red Yucca, Blue Chalksticks, Dianella, Rosemary, Bouganvillea, etc.) are proposed to complete the improvement.

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

Background

- The property was purchased in June 2022 to make Montclair the company's headquarters. Tire Outlet will be operated by a seasoned team with over 30 years of industry experience. The Montclair location will augment our newly established branch located in Fullerton, CA. The operator of Tire Outlet has a proven track record in the tire industry, having successfully managed more than 100 tire stores previously. This Tire Outlet is under different ownership and operation than those currently operating in the Florida region of the United States.
- The 1.62-acre property is located in an area that is largely developed with other commercial and industrial uses and is currently zoned C-3 General Commercial zoning district per the *North Montclair Specific Plan* allowing for the development of buildings for tire installation within an enclosed building.
- According to the property profile, the building was constructed in 1968 and was occupied by Patton's Office Furniture Showroom during the 1980s, Home Style Furniture Office Furniture 2003, several Halloween stores in the interim, and Off-Road Power Sports from 2014 to 2018. The building has been vacant since 2018 until the present.

Planning Division Comments

Overall, staff finds the proposed project to be well-designed and makes good use of the building on the site. The 1.62-acre property has sufficient size and shape to accommodate the proposed use of the site and building. Site improvements including parking surface treatment and striping, a new trash enclosure, exterior lighting, and drought-tolerant landscaping with improved irrigation are appropriate to address the current condition of the site and prepare for the new use. Staff is pleased to see a new use for the long-vacant property. This project as proposed continues the momentum of the renovation of the Moreno Avenue commercial corridor positioning it as a regional designation for customers seeking to purchase and repair recreational vehicles and the purchase, maintenance, and repair services for passenger vehicles

The project complies with the applicable development standards of the C-3 General Commercial zoning designation per *North Montclair Specific Plan* of the property including setbacks, building height, and parking as generally described above. At 33 feet in height, after the addition of the new parapet element, the building remains well under the 75-foot height limit of the C-3 zoning district. Regarding parking, the site was constructed with 61 on-site parking spaces, nine more than required (52 spaces) at the applied ratio of one space per 500 SF. Over the years, ADA parking improvements reduced the number from 61 to 52 which remains consistent with the number originally required for the development.

The business owner expects to employ 5 to 10 employees on-site at any one time. Given the express nature of the business, staff does not anticipate any issues for the new business. Observations of other tire installation businesses indicate relatively few issues, particularly for those businesses on large sites such as the site in question. Moreover, on-site parking is properly located on the side of the building where it is easily accessed.

Lastly, the existing main driveway entry will be required to be reconstructed to meet ADA accessibility requirements as determined by the Director of Public Works/City Engineer. In addition, as a condition of approval, the parking lot will be ground and overlayed to the satisfaction of the City Engineer. Furthermore, the property owner will be required to replace all existing lifted or cracked curb gutters, damaged utility pull box lids, and damaged portions of the sidewalk adjacent to the property along Moreno Street, as determined by the Public Works Senior Inspector.

Building and Landscaping

Staff worked with the architect on the exterior remodel of the existing concrete building and is generally pleased with the overall design. The proposed design and colors are bold but will significantly improve the appearance of the dated looking and more noticeable to passersby on the freeway and Moreno Street.

The selected plant materials for the front planter areas are appropriate and well-arranged. The proposed irrigation system is designed to be water efficient in compliance with the City's Water Conservation Ordinance. The use of ¾ inch charcoal colored pebbles in the front landscape planters provides an attractive base for the proposed landscape palette that is consistent with the overall design of the project. The thoughtful placement of the variegated agave plants, coupled with the balance of the shrubs and ground cover, will create a visual interest in the site that complements the modern clean design of the remodeled and new storage building.

Public Notice

Public notice is not required for a Precise Plan of Design (PPD) application, where no further entitlements (e.g., variance or Conditional Use Permit) beyond design review are required.

Environmental Assessment

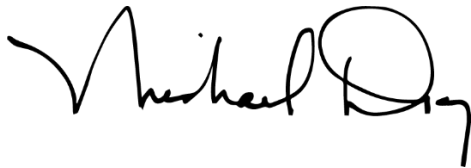
The Planning Division has determined this project to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA). The proposed exterior building and site improvements are categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the State CEQA Guidelines. The project qualifies because it is on a fully developed site and involves minor exterior and interior improvements and limited site changes will not involve grading. As such, there is no substantial evidence the project will pose a potentially significant impact to the environment.

Planning Division Recommendation

Staff recommends the Planning Commission Commission approve the proposed project by taking the following actions:

- A. Move that, based upon evidence submitted, the Planning Commission finds the current application for the proposed remodeling of an existing 28,000 SF building exterior building and site improvements are categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the State CEQA Guidelines. The project qualifies because it is on a fully developed site and involves minor exterior and interior improvements and limited site changes will not involve grading. The proposed development of the subject site is consistent with the applicable policies of the General Plan.
- B. Approve the Precise Plan of Design (PPD) for the site plan, elevations, landscape plan, colors, and materials associated with the proposed remodel of an existing 28,000 SF building and associated site development improvements on the 1.62-acre site at 5483 Moreno Street, per the submitted plans and as described in the staff report, subject to conditions of approval contained in Planning Commission Resolution No. 23-1984.

Respectfully Submitted,

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

Michael Diaz
Director of Community Development

Z:\COMMDEV\SILVIA GUTIERREZ\CASES\2023\2023-18_5483 MORENO ST _TIRE OUTLET

Cc: Alen Malekian, AIA, NCARB, MALEKIAN + Associates, 2255 Honolulu Ave. 1A, Montrose, CA 91020
Property owner: Costa Mesa LLC 4490 Ayers Avenue, Verona, CA 90058

RESOLUTION NO. 23-1984

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING A PRECISE PLAN OF DESIGN UNDER CASE NO. 2023-18 FOR THE SITE PLAN, FLOOR PLANS, ELEVATIONS, COLORS, MATERIALS, AND LANDSCAPE PLANS FOR THE EXTERIOR FACADE REMODEL OF AN EXISTING 28,000 SF BUILDING AND SITE AT 5483 MORENO STREET (ASSESSOR PARCEL NUMBER 1008-201-01-0000)

WHEREAS, on July 6, 2023, an application for a Precise Plan of Design (PPD) was filed by Costa Mesa, LLC under Case No. 2023-18, to allow the remodel of a 28,000 SF commercial building to accommodate an express robotic tire shop for passenger automobiles, on-site lighting, landscaping, and surface parking at 5483 Moreno Street, Montclair CA; and

WHEREAS, the subject property is approximately 1.62-acre in size with direct access to Moreno Street which is a fully developed street; and

WHEREAS, the project site is located within the (C-3) General Commercial zoning district of the *North Montclair Specific Plan* (NMSP) approved in 1992; and

WHEREAS, the project site is currently developed with a 28,000 SF building that was originally constructed in 1968 consistent with the applicable development standards of the time; and

WHEREAS, the Precise Plan of Design pertains to the site plan, floor plans, elevations, colors, materials, and landscape plan associated with the proposed improvements to the site; and

WHEREAS, staff has determined that the proposal meets the intent and applicable development standards of the C-3 zoning district of the NMSP; 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), under Section 15301 of the State CEQA Guidelines, and based on its independent judgment, concurs with staff's determination of said exemption and finding of no significant effect on the environment; and

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

WHEREAS, on August 14, 2023, 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 the said application were heard and said application was fully studied.

B. Resolution.

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

1. This Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution, are true and correct.
2. Based upon the substantial evidence presented to this Commission during the above-referenced hearing on August 14, 2023, including written and oral staff reports together with public testimony, this Commission hereby finds the proposal to be consistent with the overall objectives of the City of Montclair General Plan, Montclair Municipal Code, and good planning principles, and approves the application subject to each condition set forth below.

Planning

1. This approval shall be for a Precise Plan of Design (PPD) for the site plan, elevations, landscape plan, colors, and materials associated with the proposed remodel of an existing 28,000 SF building and associated site improvements on the 1.62-acre site at 5483 Moreno Street, per the submitted plans and as described in the staff report.
2. PPD approval shall be valid for one year and shall automatically expire on the anniversary date of Planning Commission approval unless the applicant is diligently pursuing building plan check and building permits to allow eventual construction of the project. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days before the approval's expiration date. No further notice from the City will be given regarding the project's PPD expiration date.
3. No changes to the approved set of plans, including the exterior design and materials/finishes, shall be permitted without prior City review and approval. Any modifications, intensification, or expansion of the use and design found by the Director of Community Development to be significantly different from the approved plan shall be referred to the Planning Commission for review and approval.
4. In establishing and operating a business on the site, the applicant shall at all times comply with all laws, ordinances, and regulations of the City of Montclair, the County of San Bernardino, and the State of California. Approval of this PPD shall not waive compliance with any such requirements.

5. Within five (5) days of approval by the Planning Commission, the applicant shall submit to the Planning Division a \$50.00 check, payable to "Clerk of the Board of Supervisors," to cover the filing fee for the Notice of Exemption (NOE) as required by the California Environmental Quality Act (CEQA).
6. The applicant and the property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 10 days of receipt of the Planning Commission Resolution.
7. The applicant and subsequent property owners and users shall comply with the following operational standards:
 - a. All land uses and operations other than loading or unloading activities shall be conducted wholly within the existing building. No processing, installation, or storage activities other than allowed below shall be permitted outside of the building(s), including within required setback areas, landscaping, or parking and circulation areas.
 - b. Outdoor storage of personal or other items (including motor vehicles) shall be prohibited anywhere on the exterior of the site.
 - c. No outdoor pay telephones, loudspeakers, or vending machines shall be installed or used on the property.
 - d. No outdoor storage of raw materials, finished products, pallets, equipment, and/or other supplies of any kind, or waste materials whether on the ground, on racks, or within storage containers shall be allowed on the site.
8. All on-site property (building and site) improvements shall be maintained in good operating and sound condition at all times, including the trash enclosure, gates, fences, walls, exterior light fixtures, vehicular access ways, sewers, storm drains, stormwater treatment devices associated with approved or existing Water Quality Management Plans, and landscaping and irrigation systems, security cameras, etc.
9. A new covered trash enclosure shall be constructed and relocated to the southwest corner or west side of the site to the satisfaction of the Director of Community Development in consultation with Burrtec Waste Industries. Contact Gary Koontz at gkoontz@burrtec.com at Burrtec Waste Industries for requirements (see Conditions 68 and 69 set forth below). Further, the design of the new trash enclosure shall complement the building on the site, including a solid roof cover, and be made secure to discourage unauthorized access.

10. Trash enclosure shall be kept in a sanitary, orderly, and functional condition at all times. Sanitary shall mean free of scattered trash and debris, spills or splatter on floors and/or walls, free of odors to the highest degree possible, and free of insects and rodents.
11. No hazardous or toxic materials shall not be stored, even temporarily, outdoors or within trash enclosures.
12. All future businesses occupying the site shall obtain and maintain valid business licenses and comply with applicable City regulations at all times. As part of the routine review process for each new business license application, the property and subject lease spaces will be inspected to ensure compliance with all applicable codes, including the provision of adequate on-site parking.
13. All automobile parking spaces shall be delineated with double-line (e.g. "hairpin") striping per City Standard No. SP-2A.
14. No temporary or permanent living quarters shall be established on the premises within any building or motorhome/recreational vehicle.
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. All future business(es) occupying the completed building shall be required to obtain and maintain valid business licenses and comply with all applicable City regulations at all times. As part of the routine review process for each new business, the property and subject lease spaces will be inspected to ensure compliance with all applicable codes, including the provision of adequate on-site parking.
17. Prior to the installation, or replacement, of any fences or walls, the property owner shall submit plans to the Planning Division for review and approval, subject to applicable City requirements and standards.
18. Submit 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:
 - a. Provide a minimum maintained illumination level of one (1) foot candle across the site.

- b. All lighting fixtures shall be vandal-resistant and of a design that complements the architecture of the building.
 - c. All parking lot and other freestanding light fixtures shall incorporate 90-degree cut-off style luminaires and flat lenses to direct illumination down to the surface to be illuminated and away from public rights-of-way and properties adjacent to the subject site. Cut-off or "house-back" shields may be required to ensure illumination does not adversely impact adjacent properties to the greatest extent possible.
 - d. Replace any damaged or missing freestanding light fixtures and poles on the site. New freestanding fixtures shall not exceed a maximum height of 20'-0" as measured from the adjacent grade to the top of the luminaires.
 - e. 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.
 - f. Wall-mounted fixtures shall be shielded. The use of unshielded wall packs, barn lighters, other similar unshielded luminaires, and/or decorative lighting installed solely to illuminate the roof shall not be permitted.
 - g. "Wall-washers" or decorative landscape lighting shall be subject to review and approval by the Planning Division.
19. Before issuance of a Certificate of Occupancy, the applicant shall install approved landscaping materials on the site including the exterior setback area along the Moreno Street frontage of the property, subject to the satisfaction of the Director of Community Development or his designee. The following standards shall apply:
- a. All shrubs shall be a minimum five-gallon container size (except herbaceous perennials and woody spreading shrubs).
 - b. All trees shall be a minimum 24-inch box size and double-staked.
 - c. A minimum of 3 inches of gravel shall be provided on all planted areas.
 - d. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.
20. All landscaping and irrigation systems shall be maintained per the approved site and/or landscape plan to ensure water use efficiency.

21. 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.
22. 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.
23. Signage on the building shall be limited to the name of the business only and the numerical address. The existing monument sign may be modified or replaced, subject to City review and approval pursuant to applicable City standards. 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 before installation of any sign(s).
24. Temporary promotional signs shall comply with Chapter 11.72 of the Montclair Municipal Code. Temporary banners to announce 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. On-site directory signs or directional signs shall be submitted for review and approval by the Director of Community Development.
27. No exterior surface-mounted exposed ducts, conduits, 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, conduit, satellite dishes, photovoltaic systems, etc.), enclosures, or equipment screen walls shall not project above the roof parapet.
29. Screening of roof-mounted equipment shall be accomplished with mechanical roof wells recessed below the roof line or by solid and permanent roof-mounted screens. Screening shall be compatible with the

architectural style, materials, and color of the building upon which the equipment is located, subject to the approval of the Director of Community Development.

30. 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.
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 Director of Community Development.
32. 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 Director of Community Development and Fire Marshal. Efforts shall be made to place these elements in locations that are the least visually intrusive as possible.
33. Any graffiti shall be removed within 24 hours of discovery or notification by the City. The paint utilized to cover the graffiti shall match the affected structure. If the paint finish of the abated area is noticeably distinguishable from the balance of the surface area of the building side just abated for graffiti, or noticeably distinguishable from the rest of the structure, the entire surface area of either the abated side or of the structure shall be painted to minimize the disparity.
34. The applicant/property owner shall upon notification by the City restore and/or replace any glazing, or other exterior design feature/ material that has been permanently damaged by graffiti, etching, or by other means.
35. To ensure compliance with the provisions of this Planning Commission approval, a final inspection is required from the Planning Division when work has been completed. The applicant shall inform the Planning Division and schedule an appointment for such an inspection.
36. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers,

employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void or annul, the any action of, or permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities, thereof (including actions approved by the voters of City), for or concerning the project, whether such Actions, are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The City shall promptly notify the applicant of any action brought and City shall cooperate with the applicant in the defense of the Action.

Building

37. Submit four complete sets of plans including the following:
 - a. Site/Plot Plan;
 - b. Floor Plan;
 - c. Reflected Ceiling Plan
 - d. Electrical Plans including the size of the main switch, number, and size of service entrance conductors, panel schedules, and single line diagrams;
 - e. Plumbing plans, including isometrics, underground diagrams, water and waste diagram, fixture units, gas piping, and heating and air conditioning.
 - f. Provide an existing plan of the building including all walls to be demolished.
 - g. Waste recycling plan, recycling 65% of all construction debris
38. Submit two sets of structural calculations, if required, and two sets of energy conservation calculations.
39. Architect's/Engineer's stamp and "wet" signature are required before plan check approval.
40. The applicant shall comply with the latest adopted California Building Code, and other applicable codes, ordinances, and regulations in effect at the time of permit application. These applicable codes shall be indicated on the first page of the submitted plans.
41. 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%).

42. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.
43. 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 Director of Community Development.
44. 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.
45. All utility lines shall be installed underground.
46. 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 of public view in a manner that is compatible with the architectural design of the building and to the satisfaction of the Planning Division.
47. 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. If additional roof-mounted equipment is installed on the roof, structural engineering shall be provided to ensure the roof structure is sufficient to hold loads of the existing roof as well as the existing roof, 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.
48. All trash enclosures shall be constructed of 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.

49. 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. Numerals shall be in a font acceptable to the Planning Division, minimum 10 inches in height, minimum 1½ inches in depth, and in a color that adequately contrasts with the background to which they are attached.
 - b. The facility shall be provided with a minimum maintained illumination level of one (1) foot candle from dusk until the termination of business every business day. During all other hours of darkness, a minimum of one quarter (.25) foot-candle of illumination shall be maintained at grade.
50. 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. The subject plan shall include provisions for street sweeping and cleanup. Applicant/contractor shall comply with all NPDES requirements.
51. Underground Service Alert shall be notified 48 hours prior to any excavation at (800) 422-4133.
52. 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.
53. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.
54. A Certificate of Occupancy is required prior to occupancy of the subject building. Issuance of a Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection, all City Departments, Monte Vista Water District, and approval of all conditions.
55. 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 that comply with the California Building Code (CBC) 2016 edition, Chapter 11B, in addition to access to each feature of the trailer.

56. All equipment installed must be UL Listed. If any equipment does not bear the UL Listing approval, then third-party testing will be required for acceptance of this equipment before the building is approved for occupancy.

Engineering

57. Replace all existing lifted or cracked curb gutter, damaged utility pull box lids, and the sidewalk adjacent to the property along Moreno Street. Additionally, remove and replace all sidewalks that show signs of ponding or is pitting, scaling or spalling, as determined by the Public Works Senior Inspector.
58. All pavement damaged by excavation for utility cuts will be replaced with permanent pavement per City Standard for Paving and Trench Repair No. 301.
59. All driveways, existing or proposed, shall comply with the Americans with Disabilities Act and shall conform to City Standard Plan No. 102. Construction and acceptance of street improvements shall be required to obtain a release for a Certificate of Occupancy from the Building Division.
60. All Utilities in the public right-of-way portion of each street frontage adjacent to the site shall be placed underground. **If not feasible, pay in-lieu fees in the amount of \$32,000.** 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.
61. A Public Works construction permit shall be obtained from the Engineering Division prior to any removals or construction of improvements in the public right-of-way.
62. Owner/applicant shall process right-of-way dedications, easements, or grant deeds required for ADA sidewalk accessibility around the existing driveway approach.
63. Grind and overlay the existing asphalt pavement surface on the entire site.
64. Monument signs shall not be permitted in the line-of-sight triangles next to driveway locations (see City STD 110).

Environmental

65. Discharge of wastewater into the City of Montclair sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
66. Trash enclosures must be designed per the provisions of AB 341 Mandatory Commercial Recycling and AB 1826 Mandatory Commercial Organics Recycling as established by the California Department of Resources Recycling and Recovery (CalRecycle). Contact Samantha Contreras scontreras@cityofmontclair.org for more information.
67. 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, including meeting Montclair Municipal Code 6.16.025, Commercial recycling. Submit documentation to Samantha Contreras scontreras@cityofmontclair.org of the Engineering Division.
68. Prior to issuance of a Certificate of Occupancy, the applicant shall Provide Certification of Landscape Completion form, to be completed by the landscape architect of record.

Fire Marshal

69. The project shall comply with all requirements set forth by the California Code of Regulations Title 24 Parts 1-12 respectively.
70. The adopted edition of the California Code of Regulations, Title 24, Parts 1 through 12, and the Montclair Municipal Code shall apply at the time the architectural plans are submitted for construction permits.
71. The building shall be provided with an automatic fire sprinkler system in accordance with NFPA 13. Construction plans shall be submitted for review and approval to the City of Montclair prior to installation.
72. The building shall be provided with a Knox Lock key box located no more than seven feet above the finished surface and near the main entrance door.
73. Prior to the issuance of building permits a City of Montclair Chemical Classification Disclosure shall be submitted for review and approval. All hazardous materials as defined by the fire code that will either be stored or used at the facility shall be disclosed.

74. Prior to the storage of any tires above 6 feet in height, high pile storage (HPS) plans shall be submitted to the City for review and approval. HPS shall comply with CFC Chapter 32 and the City of Montclair High Pile Storage Guideline.

Police

75. 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.
76. 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 approval shall be reviewed for consideration of further conditions, modifications, or revocation.
77. There shall be no special promotional events held on the property unless a written request for such is received and approved by the Director of Community Development and the Police Chief or their designee.
78. 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.
79. 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 to allow for the 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. Typically acceptable camera angles range from 50-130 degrees. Cameras shall be capable of no less a resolution than 1920×1080 pixels, otherwise known as 1080p. Cameras shall be capable of no less a resolution than 1920×1080 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 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.

80. Alarm systems are encouraged to complement the CCVS system. Current responsible party information shall be on file with the Police Department for appropriate response and notifications.

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

APPROVED AND ADOPTED THIS 14th DAY OF AUGUST 2023.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____
Manny Martinez, 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 August 2023, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

Z:\COMMDEV\SILVIA GUTIERREZ\CASES\2023-18 TIRE OUTLET\PC RESOLUTION