



## **PLANNING COMMISSION STAFF REPORT**

**APPLICATION:** CUP2014-09

**AGENDA ITEM:** PH-3

**PREPARED BY:** Barbara Lynch  
Senior Planner

**MEETING DATE:** July 9, 2014

**SUBJECT:** CUP2014-09  
3331 South Peck Road

**REQUEST:** Operate a truck and equipment storage yard in the PD-21 (Planned Development-Area 21) Zone.

**APPLICANT:** Pinnacle Disposal and Environmental Services, Inc.  
P.O. Box 2281  
Irwindale, CA 91706-1151

**ENVIRONMENTAL DETERMINATION:** Categorical Exemption, (Class 1)

**BACKGROUND:** This application represents a request for a conditional use permit to use an existing yard for the storage of approximately 150 commercial bins that are used for disposal of construction materials and 5 trucks. The yard was previously used for storing trucks, trailers and equipment used by Family Festival Productions while not in use at street fairs. The storage yard has remained unoccupied since Family Festival Productions vacated the site several months ago.

A conditional use permit was approved by the Planning Commission on March 12, 2014 for the overnight storage of approximately 30 vehicles. The proposal was for a shuttle service providing daytime transportation for students with disabilities. The business never located to the subject site.

In 1989, the Planning Commission and City Council adopted the Peck Road Specific Plan (PD-Area 21) which was designed to mitigate the land use compatibility problems that involved salvage and auto dismantling yards and established necessary site development standards which included provisions for appropriate site planning, performance standards and the use of landscaping, walls and other screening devices.

The Peck Road Specific Plan stipulates that a conditional use permit is required for new auto dismantling and salvage yards, custom manufacturing, general manufacturing and warehouse/storage uses. The Specific Plan area is bordered by residential lots along Lynd Avenue (County) on the west, commercial lots along Live Oak Avenue to the north, the Peck Road Spreading Grounds to the south and a gravel pit across the street on Peck Road to the east.

**SUBJECT PROPERTY:** The subject property is located on a portion of a 10.69 acre lot within the Peck Road Specific Plan. It is currently occupied by Dry Dock RV Storage, ABC

Roofing and the vacant storage yard where Pinnacle Disposal and Environmental Services is proposing to locate. All the businesses on the subject property have frontage on and take access from Peck Road.

The applicant's lease space is unpaved and totals 32,744 square feet in size. It is triangular in shape measuring 165' along the rear (west) property line and narrowing to 40' on the Peck Road easterly frontage. The lease space depth measures 355' on the north side and 379' on the south side. The space is fenced with sheet metal panels on the rear and south sides and chain link with slats on the north side. A 40' section of an existing wall which extends along several of the businesses on Peck Road was removed to provide access into the lease space when Family Festival Productions located to the site. A rolling wrought iron gate was also installed at that time.

**DISCUSSION/ANALYSIS:** The City records indicate that the subject property was part of a rock quarry operation until the early 1950's and then was part of an un-compacted landfill area into the early 1960's. Many of the businesses within the Specific Plan have office trailers and gravel lots due to the lack of compaction and methane gas seepage that still exists. When Family Festival Productions was approved to occupy the site they were required to pave the first 25' of the storage yard to control soil run-off onto Peck Road. The remainder of the property was required to be covered with gravel (minimum 4" deep).

### ***Business Operation***

The proposed business will utilize the site for storing commercial bins that come from construction sites when not in use. These bins are emptied prior to being stored. Pinnacle Disposal and Environmental Services does not handle trash or toxic materials. Their clientele are contractors and the bins are filled with construction material and recyclable material. The trucks that deliver the bins to the construction sites when not in use will be parked at the site and when the employees are driving the trucks their vehicles will be parked at the site. One office trailer with a self-contained restroom will be brought to the site. It will be relocated from Irwindale where the business is currently located.

### ***Storage Yard/Site Improvements***

The driveway and turn-around area as indicated on the site plan will be delineated on the gravel surface with rope and pegs (similar to Dry Dock) to insure that it will remain clear as a fire lane. The proposed office trailer (20'x40') will be located approximately 200' back from Peck Road near the south property line.

At the time Family Festival Productions was considered their Engineer reviewed the Peck Road entrance (40' wide drive approach) to determine if the semi-truck/trailers could enter the yard without obstructing traffic flow. It was determined that the raised median in the street wouldn't interfere and that a semi-truck could enter from the slow (west) lane and wouldn't have to swing into the fast (east) lane to enter the site. The applicants commercial trucks are similar in size and the 40' wide drive approach should provide easy site accessibility. In order to comply with storage yard regulations (§17.16.030) the wrought iron gate must be modified by adding view obscuring material such as metal panels (similar to a trash enclosure gate) so that the storage on the site is not visible from the street.

**CONCLUSION:** Since the site was previously upgraded when Family Festival Productions located to the site the only required improvements for the proposed use is to delineate the driveway and turn-around area and revise the gate to obscure the view into the storage yard. Peck Road is a primary arterial with an 84' wide roadway that can handle the

added commercial traffic load that will be generated from the proposed use. The location is good because it is in the center of an industrial area with no residential nearby. This use is in compliance with the Peck Road Specific Plan.

**RECOMMENDATION:** The Development Review Committee and Staff recommend approval. If the Planning Commission concurs with this recommendation, then following the public hearing, the adoption of the following resolution is appropriate:

The Planning Commission of the City of Monrovia hereby finds, determines and resolves as follows:

1. Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, the Planning Commission in the exercise of its independent judgment finds that CUP2014-09 is categorically exempt from CEQA under Class 1.
2. The Planning Commission finds that the custodian of records for all other materials that constitute the record of proceeding upon which this decision is based is the Planning Division Manager. Those documents are available for public review in the Planning Division located at 415 South Ivy Avenue, Monrovia, California, 91016.
3. The Planning Commission in the exercise of its independent judgment hereby makes the findings listed on attached Data Sheet No. 3 for CUP2014-09, which are incorporated herein by this reference.
4. The Planning Commission approves CUP2014-09, subject to the attached Planning Conditions on Data Sheet No. 1 and recommendations in the Staff Report, all of which are incorporated herein by this reference.

**MOTION:**

**Close the public hearing and adopt the Resolution approving CUP2014-09 as presented in the Staff Report.**



# DATA SHEET 1

# Planning Conditions

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Operations on the site must remain in substantial conformance at all times with the request and application forms and plans submitted by the applicant for CUP2014-09, allowing the storage of trucks and commercial bins at 3331 South Peck Road, as approved by the Planning Commission and placed on file in the office of the Planning Division, except as modified by the conditions imposed by the Planning Commission and by subsequent modifications determined by the Planning Division Manager to be in substantial compliance with the conditions of approval. The term "Applicant" as used herein shall include the applicant, the property developer and all successors in interest to this conditional use permit.

1. All vehicles owned, leased, rented or used by the Applicant and/or any business operating at the site shall be stored on the site when not in use, and shall not be parked on city streets between the hours of 6 PM and 5 AM. Before any change is made in these hours of operation, approval by the Planning Division Manager must be obtained. Alternatively, the Planning Division Manager may refer the matter to the Planning Commission for its review, in which case no change in the hours of operation shall be made without Planning Commission approval.
2. The site shall be covered with a minimum 4 inches deep of gravel at all times and shall be kept free of weeds.
3. The driveway and turn-around area shall be clearly marked on the gravel surface using a system of ropes and pegs for delineation, as indicated on the site plan. Prior to initial installation or subsequent replacement of ropes and pegs system, Applicant shall submit material samples for review and approval by the Planning Division Manager.
4. No parking or storage shall be permitted in the driveway and turn-around area.
5. The wrought iron gate shall be modified by adding metal panels, or a similar material that will obscure the view of any storage from the street, and shall be subject to the advance review and approval of the Planning Division Manager. Additionally, applicant shall continue to provide solid screening around the perimeter of the storage yard of the type that currently exists. Any change in such screening shall require advance approval by the Planning Division Manager.
6. The commercial bins, if stacked, shall not exceed the height of the storage yard fencing.
7. Any violation of these conditions of approval or the Monrovia Municipal Code may be subject to the Administrative Fine Ordinance, other available remedies and/or revocation or modification of this permit at the discretion of the City Attorney and City Prosecutor.
8. This CUP may be called for review, including modification or revocation, at any time by City Staff, the City Council, or Planning Commission if a violation of the approved conditions or the Monrovia Municipal Code (MMC) is alleged, or if it is alleged that the vehicle storage business is creating a public nuisance, and such violation or public nuisance is verified as valid by the Police Department, Code Enforcement, or other City department. In addition to any other remedy available to the City, security measures may be required.

9. Indemnification. As a condition of approval, Applicant agrees to defend, indemnify, protect and hold harmless City, its officers, officials, employees, agents and volunteers from and against any and all claims, actions, or proceeding against the City, its officers, officials, employees, agents and/or volunteers to attack, set aside, void or annul, an approval of the City, Planning Commission or City Council concerning this permit and the project. Such indemnification shall include damages, judgments, settlements, penalties, fines, defensive costs or expenses, including, but not limited to, interest, attorneys' fees and expert witness fees, or liability of any kind related to or arising from such claim, action, or proceeding. The City shall promptly notify the Applicant of any claim, action, or proceeding. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense, including, but not limited to, choosing counsel for the defense at Applicant's expense.
10. The applicant shall, within 30 days after approval by the Planning Commission, submit to the Community Development Department his/her written acknowledgment of receipt of the decision approving the Conditional Use Permit and his/her written consent to all of the conditions of approval referenced in Data Sheet No. 1. This CUP shall be void and of no force or effect unless such written acknowledgment and consent is submitted to the City within the 30 day period.
11. The use or development associated with this CUP shall begin within one (1) year after its approval or it will expire without further action by the City.
12. All of the above conditions shall be complied with prior to commencement of the operation, unless an earlier compliance period is specified as part of a condition.



## DATA SHEET 3

## Findings

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### CONDITIONAL USE PERMIT

As required by Section 17.52.290 of the Monrovia Municipal Code, the decision for granting CUP2014-09 to allow the storage of trucks and commercial bins at 3331 South Peck Road is based on the following findings:

- A. The project site is adequate in size, shape and topography for the proposed overnight storage of a vehicle fleet. *The topography of this commercial storage yard is relatively flat, and the vehicles and commercial bins can be stored in such a way that a fire lane and turn-out can be provided.*
- B. The project site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the storage of trucks and commercial bins. *The proposed use is located in an industrial area, which is suited to support these types of uses and traffic loads and the site is designed with a 40' wide driveway approach allowing easy vehicle accessibility.*
- C. The proposed storage of trucks and commercial bins is compatible with the General Plan/Peck Road Specific Plan and will not adversely impact the objectives of the General Plan/Peck Road Specific Plan. *The proposed use is in an industrial area, which is suited to support these types of uses and traffic loads. Vehicles at the storage yard will not interfere with traffic flow on Peck Road, a primary arterial designed to handle commercial traffic loads.*
- D. The proposed storage of trucks and commercial bins will comply with the applicable provisions of the Zoning Ordinance. *There are no variances requested for this CUP.*
- E. The proposed location of the storage yard and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety or welfare, nor will it be materially injurious to properties or improvements in the vicinity, *in that the applicant will be required to adhere to the conditions of approval on Data Sheet No. 1 to safeguard the surrounding uses from any negative impacts.*



## DATA SHEET 4

## Surrounding Land Uses

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### Property Description:

The 32,744 square foot lease space is located on a 10.69 acre site. The site is occupied by Dry Dock RV Storage, ABC Roofing and a vacant storage yard. All businesses have frontage on Peck Road.

### Zoning

Subject site: PD-Area 21 (Planned Development)

Surrounding pattern:

north: L. A County

south: P/Q (Public/Quasi Public)

east: PD-Area 22 (Planned Development)

west: L. A. County

### Land Use

Subject site: RV storage yard, roofing company

Surrounding pattern:

north: Commercial retail

south: Auto dismantling yards/Peck Road Spreading Basin

east: Gravel pit

west: Auto dismantling yards

Environmental Determination: Categorical Exemption Class 1

Applicable Ordinance Regulations: MMC 17.52.020 Planning Commission Authority for CUP