

**PLANNING COMMISSION MINUTES  
OF THE FEBRUARY 14, 2005 MEETING  
HELD IN THE COUNCIL CHAMBER  
OF THE MONTCLAIR CIVIC CENTER  
5111 BENITO STREET, MONTCLAIR**

**CALL TO ORDER**

Chairman Lenhert called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

Chairman Lenhert led those present in the salute to the flag.

**ROLL CALL**

Present: Chairman Lenhert, Commissioners Johnson, Sahagun and Vodvarka, Community Development Director Clark, City Planner Lustro, Associate Planners Frazier-Burton and Lai

Excused: Vice Chairman Flores and City Attorney Robbins

**MINUTES**

The minutes of the January 24, 2005 Planning Commission meeting were presented for approval. Commissioner Vodvarka moved to approve, Commissioner Johnson seconded, there being no opposition to the motion, the minutes were approved 4-0.

**ORAL AND WRITTEN COMMUNICATIONS**

**AGENDA ITEMS**

1. PUBLIC HEARING – CASE NUMBER 2004-21  
Love Sanctuary Church  
5655 Palo Verde Street  
Re-evaluation of Provisional Conditional Use Permit

Associate Planner Lai reviewed the staff report.

Commissioner Sahagun stated that Vice Chairman Flores had contacted him regarding not being able to attend the meeting and they discussed the letter attached to the staff report stating that the Commission was not willing to work with them and that it was the Commission's fault that their application for a CUP did not work out. Commissioner Sahagun felt the Commission did everything they could and he personally tried to find another location for the school.

Commissioner Johnson commented that she could tell from Captain Stone's letter that the school would be moving but she wanted to know if they have relocated yet.

Winsome Tynes, 2852 Broadhaven Lane, Corona, a representative of the church, stated that she could not give an official date, but she guessed that they moved out on Thursday (February 10). She commented that she also was surprised when she saw the contents of the letter. She stated that she understood the position that the City is in; the City came down hard on the church, not that she agreed with everything, but she understood. The church has tried to work with Captain Stone, who tried to paint a picture that it was the school against the world. It was her opinion that Captain Stone believed that it was everyone else's fault why she couldn't do what she needed to do so that is why she has moved. She was bashing the City and the church. She thanked the City for extending the item as many times as it did and trying to work with the church; unfortunately, it did not work out.

Chairman Lenhert wanted to clarify that some of the conditions called for in the approval are not City conditions, they are state and federal conditions for disabled-accessibility and the Commission has to live by those.

Chairman Lenhert moved to revoke the provisional CUP under Case No. 2004-21, allowing a private school at 5655 Palo Verde Street, as the applicant has failed to comply with the provisional CUP granted by the Planning Commission on September 13, 2004, specifically Condition No. 7, requiring a deadline for submission of plans and completion of improvements, seconded by Commissioner Vodvarka, there being no opposition to the motion, the motion passed 4-0.

## **INFORMATION ITEMS**

Commissioner Sahagun commented that there was standing water on Palo Verde Street at Carrillo Avenue where the street alignment has not taken place and wondered if there was a storm drain there, south of the Costco building. Director Clark stated that water ponds there now but that Public Works pumps it out when it accumulates. The problem will be resolved when the street work is completed.

Commissioner Sahagun thanked Chili's for the great grand opening. He noticed that the City Manager, Mayor, and many Police and Fire personnel in attendance.

Commissioner Vodvarka commented that a citizen phoned him complaining about visitors to his home on street sweeping day receiving citations because they did not know they had to be off the street until 2:00 p.m. or until the street sweeper came by. The resident stated that there are not enough signs. Commissioner Vodvarka stated that there are only signs at the entrance of the neighborhoods and nothing in between. He can see where visitors can be caught and wondered if there was something that could be done about it. Chairman Lenhert stated that the Public Works Department is installing more signs around town. Commissioner Vodvarka stated that he hoped the additional signs would rectify the problem. Commissioner Vodvarka asked what the fine for the citation would be.

Commissioner Johnson asked about the status of the Marion Avenue house. City Planner Lustro stated that he checked with the Building Division after the last Planning Commission

meeting and he was told that the plans were in the final stages of plan check and no permit had been issued yet. City Planner Lustro understands that the property owners changed their minds about some detail of the plan again and that is what is slowing it down. Commissioner Johnson asked when the 30 days starts because she understood that they had 30 days to start and 180 days to finish. Director Clark stated that he understood that the property owners would be able to resolve their plan check issues and get a permit issued within 30 days and staff hopes that they mobilize and start, but they are still making changes, checking and so forth to get the permit issued.

Chairman Lenhert stated that, in response to Commissioner Sahagun's comment about the standing water, so long as there is enough wind to make ripples in the water, the mosquitoes cannot breed.

## **ADJOURNMENT**

Chairman Lenhert adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Laura Berke  
Recording Secretary