

**PLANNING COMMISSION MINUTES
OF THE APRIL 25, 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

Commissioner Johnson led those present in the salute to the flag.

ROLL CALL

Present: Chairman Lenhert, Vice Chairman Flores, Commissioners Johnson, Sahagun (arrived at 7:08) and Vodvarka, City Planner Lustro, Associate Planners Frazier-Burton and Lai, and City Attorney Robbins

Excused: Community Development Director Clark

MINUTES

The minutes of the April 11, 2005 Planning Commission meeting were presented for approval. Vice Chairman Flores moved to approve, Commissioner Johnson seconded, there being no opposition to the motion, the minutes were approved 4-0. (Commissioner Sahagun arrived at 7:08 p.m. and was absent for the motion of approval of the minutes.)

ORAL AND WRITTEN COMMUNICATIONS

AGENDA ITEMS

1. PUBLIC HEARING – CASE NUMBER 2005-14
Balekian Trust
5660 Holt Boulevard
Request for a Conditional Use Permit

Associate Planner Lai reviewed the staff report.

Commissioner Johnson moved that, based on the evidence submitted, a finding is made that there will be no significant environmental impact as a result of the granting of a CUP to allow the on-premises sale of beer and wine in conjunction with the operation of a bona fide restaurant, including a DeMinimis finding of no effect on fish or wildlife, and a Negative

Declaration has been prepared, seconded by Commissioner Vodvarka, there being no opposition to the motion, the motion passed 5-0.

Vice Chairman Flores moved to approve the CUP under Case No. 2005-14 for the on-premises sale of beer and wine (Type 41) by adopting Resolution No. 05-1604, subject to making the required findings and subject to the 13 conditions of approval, seconded by Commissioner Vodvarka, there being no opposition to the motion, the motion passed 5-0.

1. Approval is granted for a CUP to allow on-sale beer and wine (Type 41) in conjunction with a bona fide eating establishment (Sizzler), at 5660 Holt Boulevard, based on a finding of public convenience and necessity. Any substantial changes to the operation, increase in floor area of the demised space, physical location, or upgrade of license to full alcohol (distilled spirits) sales shall require prior City approval. Any discontinuation or substantial changes to the full service restaurant without City approval shall be a violation of this CUP and may be cause for revocation.
2. Conditional Use Permit (CUP) approval shall be valid for a period of six months 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 licensing 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.
3. The restaurant shall be operated, maintained and open to the general public as a full service (bona fide) eating establishment, serving meals at all times that beer and wine are offered for sale and consumption on the premises. Approved hours of operation for the restaurant are 9:00 a.m. to 12:00 midnight, seven days per week. Applicant may open or close the business anytime within this range of approved hours. Any changes to the hours beyond this range require prior City approval.
4. No live entertainment, dancing, pool or billiards shall be incorporated as part of the restaurant operation without first obtaining City approval.
5. Maximum seating capacity within the subject restaurant shall be 122 unless modified by the Building Official.
6. Take-out, off-sale, or "to go" beer and wine sales shall not be permitted under this approval. Applicant shall post notification of this limitation within plain view of employees and customers.
7. Prior to the serving of beer and wine, the applicant shall obtain the appropriate license from the Department of Alcoholic Beverage Control (ABC), and demonstrate to the Planning and Building Divisions that all necessary conditions have been met.

8. No window signs either inside or outside, or signs placed inside the business directed toward the outside shall advertise the availability of beer and wine for purchase.
9. This CUP for on-sale beer and wine may be modified or revoked for failure to abide by these conditions or in the event that the use is determined to be a nuisance to surrounding properties, businesses or the community at large.
10. The following mandatory conditions are hereby imposed as part of the CUP approval for on-sale beer and wine:
 - a. The premises shall be maintained at all times in a neat and orderly manner.
 - b. Trash receptacles shall be provided in such number and at such locations as may be specified by the Planning Commission.
 - c. No beer and wine shall be sold, dispensed or offered for consumption except within the permitted premises, which shall consist of a wholly enclosed building, except as otherwise permitted by the Planning Commission.
 - d. The exterior appearance of the premises shall be designed and maintained in a manner consistent with the exterior appearance of commercial properties already constructed within the immediate neighborhood so as not to cause blight or deterioration, or to substantially diminish or impair property values within the neighborhood.
 - e. The permittee shall comply with all State statutes, rules and regulations relating to the sale, purchase, display, possession and consumption of alcoholic beverages.
 - f. The permittee shall acknowledge and agree that the City has a legitimate and compelling governmental interest in permittee's strict compliance with all conditions imposed upon the permit, including adherence to State statutes, rules and regulations as specified in subsection (e) above. The permittee shall further acknowledge and agree, in writing, that any violation of a State statute, rule or regulation concerning the sale to or consumption of alcoholic beverages by a minor has been determined by the City to have a deleterious secondary effect upon:
 - i. The specific land use requested by the permittee and authorized by the City;
 - ii. The compatibility of permittee's authorized land use with adjacent land uses;
 - iii. The welfare and safety of the general public within the City.

In view of such deleterious secondary effects, permittee shall acknowledge that the City has specifically reserved the right and authority to impose sanctions, including suspension or revocation of the CUP, as a consequence of one or more violations of a State statute, rule or regulation concerning the sale to, or consumption of beer and wine by a minor.

- g. The permit shall, after notice to the permittee and an opportunity to be heard, be subject to the imposition of such additional conditions as may be reasonable and necessary to address problems of land use compatibility, security, or crime control that have arisen since the issuance of the permit.
11. In accordance with the adopted amortization schedule under Section 11.72.140 of the Montclair Municipal Code, the existing non-conforming pole sign immediately south of the restaurant building shall be removed no later than April 25, 2006. The applicant may replace said sign with a new monument sign, maximum 8'-0" in height and 48 square feet in sign area. Revised sign design shall be submitted to the Planning Division for review and approval prior to obtaining building permit for construction. The new sign may utilize the existing sign base and footing, subject to Building Division review of engineered documentations and calculations. Monument sign shall incorporate routed-out or "push-through" copy and opaque background with interior illumination.
12. The applicant shall, within 60 days of this CUP approval, bring the property into compliance with current federal and state code requirements by providing a minimum of two disabled-accessible parking spaces, one of which shall be van-accessible, plus all related signage and pavement markings, and a pedestrian path of travel from the public sidewalk to the satisfaction of the Building Official.
13. The applicant shall agree to defend, at its sole expense, any action brought against the City, its agents, officers, or employees because of the issuance of this approval; or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees for any damages, loss, court costs and attorney fees that the City, its agents, officers, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve applicant of its obligations under this condition.

2. PUBLIC HEARING – CASE NUMBER 2005-16
Montclair Town Center LLC
9750 Central Avenue
Request for a Conditional Use Permit

Associate Planner Frazier-Burton reviewed the staff report.

Commissioner Johnson commented that she felt the fitness center would be a good fit for the Town Center and there would be plenty of parking.

Commissioner Vodvarka asked why no one parked in the back of the businesses, such as the employees of each business.

Brad Umansky, representative of the Montclair Town Center, 800 N. Haven Avenue, Suite 100, Ontario, stated that the reason was two-fold – the demand for parking has not been strong enough at the center to warrant parking in the rear, and the children that reside in the townhomes behind the center have a habit of throwing rocks over the wall and hitting cars. His partner, Bob Jarrard, has asked their day porter to go behind the wall and remove the rocks so there would not be any to throw. A couple years ago, they had discussion about putting up gates in the rear of the property and, depending upon parking demand, and the flow, they have looked at installing those gates and possibly some security, if needed, after 24-Hour Fitness enters the picture.

Commissioner Vodvarka commented that, in the past, he observed a manhole cover with loose bolts sticking up about two inches near the Chamber of Commerce. He had tools in the trunk and used them to fix the problem at that time, but he asked that the maintenance man check that out. Mr. Umansky thanked Commissioner Vodvarka for fixing the bolt in the past and for bringing the issue to his attention.

Vice Chairman Flores commented that his experience has been that the bolts vibrate loose over time as cars travel over the manhole covers.

Mr. Umansky expressed his appreciation to staff and the Commission for their continued support of their project and they are hopeful that they will finalize negotiations and have 24 Hour Fitness open within the next year, which would bring the center to 100% occupancy. He added that they have come a long way from six years ago, when the center was 75% vacant.

Commissioner Sahagun asked whether there would be any storefront remodeling and parking control. Mr. Umansky replied that it was a condition of their agreement with 24-Hour Fitness to install additional storefront in to make the facility brighter inside and take advantage of the outdoor daylight for energy purposes. They will engage a structural engineer to analyze how much storefront they can put in. Apparently the tenant space had storefront many years ago. Regarding the parking control issue, based on his many years of leasing experience and being involved in different retail projects, he has seen centers where a fitness center went into the middle of the project and had adverse effects on the surrounding tenants. They have agreed with 24-Hour Fitness to, at their discretion, limit the parking in front of the line shops, laundromat and Burger King. They picked out the areas where they felt the parking would be most vulnerable and if it creates an issue, they will put some enforcement mechanisms in place to prohibit fitness center parking in those locations. He speculated that, over time, there will likely be a certain amount of tenant turnover that will lead to the attraction of new tenants that will be more complementary to the clientele of the fitness center. They have some great users within the center, but they want to make sure that they maintain the other tenants' parking.

Commissioner Vodvarka moved that, based on the evidence submitted, a finding is made that there will be no significant environmental impact as a result of the proposed use, including a DeMinimis finding of no effect on fish or wildlife, and a Negative Declaration has been prepared, seconded by Vice Chairman Flores, there being no opposition to the motion, the motion passed 5-0.

Commissioner Johnson moved to approve the CUP under Case No. 2005-16 for a fitness center by adopting Resolution No. 05-1605, subject to making the four required findings and subject to the 15 conditions of approval, seconded by Chairman Lenhart, there being no opposition to the motion, the motion passed 5-0.

1. The Conditional Use Permit (CUP) approval is granted specifically for a fitness and strength-training center at 9750 Central Avenue. CUP approval is contingent upon the privileges being utilized within six months from the date of Planning Commission approval. No further notice from the City shall be given regarding the project's CUP expiration date. Request for a time extension shall be submitted by the applicant and/or property owner at least 30 days prior to expiration date. Suspension of the approved business activity for a period of six months or more voids the CUP.
2. All proposed remodeling to the exterior of the building shall require review and approval by staff or the Planning Commission.
3. All new building-mounted and freestanding signs shall comply with the Montclair Municipal Code and the existing sign program for the subject property. Permits shall be obtained from the Planning Division prior to installation of any signs.
4. All interior remodeling requires Building and Planning Division approval and a building permit prior to commencement of any construction work.
5. Prior to issuance of building permits, the applicant shall:
 - a. Submit two complete sets of plans, including structural and Title 24 calculations, and three additional sets of architectural plans, including elevations, colors, and materials, electrical, plumbing, mechanical, landscaping, lighting, and accessibility details for review and approval by the Building and Planning Divisions. Contact Rudy Gomez, Senior Building Inspector, at 909/625-9437 for an appointment to submit plans.
 - b. Submit detailed plans for all new exterior building-mounted lighting for review and approval by the Planning and Building Divisions.
 - c. Pay all required Montclair Fire Department fees.
6. 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 announcing the grand opening or advertising promotions shall require banner permits from the Planning Division prior to installation. Such banners shall be attached to the building.

- b. Promotional window signs shall not occupy more than 25 percent of the aggregate window area.
 - c. A-frame, portable and human signs are expressly prohibited at all times.
7. 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.
 8. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
 9. Payment of all outstanding sewer reimbursement fees imposed by a utility district, if any, or any assessments shall be required. Contact Dennis McGehee, Environmental Control Specialist, at 909/625-9446 for information.
 10. 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).
 11. The rear doors of the tenant space shall be closed at all times.
 12. 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 and approval of all conditions.
 13. Prior to issuance of a Certificate of Occupancy, the applicant shall re-adjust all luminaires at the rear of the building so that they are set at 90 degrees to the building wall, or replace said luminaires with 90-degree, fully-cutoff luminaires to the satisfaction of the Planning Division.
 14. 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.
 15. The applicant shall agree to defend, at its sole expense, any action brought against the City, its agents, officers, or employees because of the issuance of this approval; or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees for any damages, loss, court costs and attorney fees that the City, its agents, officers, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve applicant of its obligations under this condition.

3. PUBLIC HEARING – CASE NUMBER 2005-11
Crestwood Corporation
SEC Howard Street and Fremont Avenue
Request for a Tentative Tract Map and Precise Plan of Design

City Planner Lustro reviewed the staff report. He stated that a public notice was sent to all residents within a 300-foot radius of the exterior boundaries of this particular property and at the time the report was prepared and up until the meeting, staff had received only one inquiry regarding the project. A neighboring property owner reviewed the plans and essentially came away in support of the project.

Commissioner Vodvarka asked about the storm drains and whether the curb and gutter would be designed to handle the surface flow. City Planner Lustro stated that there will be very little surface flow tributary to this tract. There will be flows westerly on Howard Street to Fremont Avenue, then south along Fremont. Stormwater generated within the tract would surface flow south to Saddleback Street then west to Fremont Avenue. Curb and gutter would be designed to adequately convey flows within the subdivision and the City Engineer does not foresee any problems.

Commissioner Johnson asked for clarification about the subdivisions west of Fremont. Where will the surface water flows from those go? City Planner Lustro replied that the stormwater from the subdivision under construction on the south side of Howard Street that connects with the Citrus tract flows from that particular subdivision southerly to Greycliff Avenue, west on Grand then southerly on Monte Vista. The nine-unit subdivision north of the Citrus tract, off of Fremont Avenue, will surface flow to the west where water will be collected in catch basins and conveyed through an underground pipe that will daylight on Greycliff Avenue. The 20-unit subdivision being planned by the applicant on what is now known as the Christmas tree farm will drain south to the same point. None of these three subdivisions will contribute stormwater flows to Fremont Avenue.

Vice Chairman Flores commented that the Commission has been receiving several types of maps over the past several months and he felt this one was the most complete, but he would find arrows showing the flow of the water more helpful. City Planner Lustro stated that staff has taken Vice Chairman Flores' comments to heart and worked with the City Engineer to develop guidelines for developers with regard to what we expect on their parcel maps. The guidelines are nearly complete and the intention is to make them available in hard copy and online.

Chairman Lenhert asked if the roof tile is lightweight tile.

Commissioner Vodvarka commented that he liked the name of the project (Savannah at the Crossings).

Kevin Kent, representing Crestwood Corporation, 510 W. Citrus Edge Street, Glendora, stated that the projects are themed; the project to the east is called Madison at the Crossings, and a project in Rancho Cucamonga that is related to that as well. As far as the roof tiles, they will be using low-profile S-tiles and flat tiles, not the lightweight type.

Commissioner Sahagun asked if Fremont Avenue has a sewer line. City Planner Lustro answered that he knew that there is a sewer line in Fremont Avenue at least to the northerly boundary of the Citrus tract, but wasn't sure if it extending northerly to Howard Street. If not, the developer would be required to extend the sewer line to serve the subdivision.

Chuck Lockman, Lockman & Associates, 14125 Telephone Avenue, Suite 1, Chino, the civil engineer of record for the project, commended staff for its willingness and professionalism in which they have worked with the applicant on the project. It is an infill project and somewhat difficult to coordinate with projects underway to the east and south. He wished all cities were as nice and professional as Montclair. Mr. Lockman confirmed Mr. Lustro's comments about the sewer line in Fremont Avenue. They will be required to extend the sewer main to the north. He thanked Mr. Lustro for his comment with regard to the clarification for the right-of-way dedication on both Howard Street and Fremont Avenue, and the reason they asked the storm drain condition be stricken is because there are no storm drains planned in conjunction with the project. They will protect the project by constructing adequate curb and gutter improvements in Fremont, Howard and the interior streets. They are not changing the drainage pattern because all the water will still flow south on Fremont and then west on Phillips Boulevard. The additional flows generated by the subdivision will not adversely impact the surrounding neighborhood. They concur with the conditions of approval in the staff report, as amended, and would also like to point out that Crestwood Corporation is a family-owned home building business that has been operating since 1940. They build quality housing and he is very confident that the Commission will be happy with the product brought forward.

Commissioner Sahagun asked about the capacity of the sewer line. Mr. Lockman responded that the line in Fremont Avenue is an eight-inch diameter and is currently operating under capacity. Commissioner Sahagun asked if there will be any capacity problems once this tract and other tracts develop. Mr. Lockman replied that an eight-inch line can typically serve development covering 250 acres, so there will be no capacity problems even when the area is fully developed.

Commissioner Sahagun commented that he would like to see the entire infrastructure in the tract and perimeter streets installed before completion so that the streets do not have to be torn up later. Mr. Lockman stated that would be the last thing they would want because the new homeowners would be unhappy about that.

Commissioner Vodvarka asked if the streets would be graded to force the runoff to flow in the proper direction. Mr. Lockman stated that was correct. Commissioner Vodvarka asked if higher curbs are still done to compensate for not having storm drains. City Planner Lustro stated that if necessary, cities could require that if the expectation is that there will not be a storm drain for a long period of time, but the Public Works Department is currently working on a storm drain master plan primarily for the south end of the city where we have very limited facilities right now.

Vice Chairman Flores commented that he would like to see 24-inch gutter on Fremont Avenue rather than an 18-inch gutter because it flows much better and will not rip up the asphalt. He also commented that if the maps showed the existing sewer, the Commission would not have to ask about it.

Vice Chairman Flores moved that, based on the evidence submitted, a finding is made that there will be no significant environmental impact as a result of the residential project, including a DeMinimis finding of no effect on fish or wildlife, and a Negative Declaration has been prepared, seconded by Commissioner Vodvarka, there being no opposition to the motion, the motion passed 5-0.

Commissioner Johnson recommended City Council approval of Tentative Tract Map No. 17191 for a 39-lot subdivision for the purpose of constructing 39 single-family detached homes on approximately 9.25 acres at the southeast corner of Howard Street and Fremont Avenue, finding the map to be consistent with the Montclair Municipal Code and the State Subdivision Map Act, and forward it to the City Council for its consideration, seconded by Chairman Lenhart, there being no opposition to the motion, the motion passed 5-0.

Commissioner Johnson moved to approve the Precise Plan of Design request under Case No. 2005-11 for the tract plot plan, floor plans, elevations, colors, materials and front yard landscape plans associated with the proposed 39-unit single-family residential subdivision and associated on- and off-site improvements per the submitted plans and as described in the staff report, subject to the 42 conditions of approval, as amended, seconded by Commissioner Sahagun, there being no opposition to the motion, the motion passed 5-0.

1. This approval is for the following:
 - a. Tentative Tract Map No. 17191, subdividing an existing 9.25-acre site into 39 single-family lots ranging in size from 7,500 to 10,840 square feet at the southeast corner of Howard Street and Fremont Avenue.
 - b. A Precise Plan of Design for the tract plot plan, floor plans, elevations, colors, materials and front yard landscape plans associated with the construction of 39 single-family detached residences on Lots 1 through 39 of Tentative Tract Map No. 17191.
2. The tentative tract map shall expire three years from the date of the Planning Commission resolution unless extended under Government Code §66452.6. The final parcel map shall be filed with the City Engineer and shall comply with the Subdivision Map Act of the State of California and all applicable ordinances, requirements, and resolutions of the City of Montclair.
3. Precise Plan of Design (PPD) approval shall be valid for a period of one year and shall automatically expire on the anniversary date of Planning Commission approval, unless the applicant is diligently pursuing building plan check toward eventual construction 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 PPD expiration date.
4. The applicant and/or property owner shall ensure that a copy of the Planning Commission approval letter, 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.

5. Prior to submittal of grading plans or other improvement plans, the applicant shall prepare and submit to City Engineer for approval a Water Quality Management Plan (WQMP) in accordance with the State of California Santa Ana Regional Water Quality Control Board Guidelines for San Bernardino County. WQMP Guidelines may be purchased from the City of Montclair or are available for review on-line at: www.swrcb.ca.gov/rwqcb8/html/san_bernardino_permit.html. The Water Quality Management Plan shall be prepared by a Registered Civil Engineer or other qualified professional as may be authorized in the guidelines.
6. Prior to filing the original signed final map with the City Engineer, the applicant shall submit to the City the following documents, requiring approval of the City Engineer, at least 60 days before the filing of the original signed final map, in order to permit review pursuant to Government Code §66456.2:
 - a. A preliminary soils report, addressing the geology, stability of the site, and grading requirements.
 - b. A comprehensive grading and drainage plan prepared by a registered civil engineer in conformance with Chapter 70 of the Uniform Building Code and the requirements of the City. All properties within the subdivision shall drain from the rear of the lot to the front of the lot (street frontage). Prior to the commencement of grading or any clearing of the site, a grading permit shall be obtained from the Building Division. An advance plan check fee, in an amount to be determined by the City Engineer, shall be required at the time of plan submittal. No grading permit shall be issued until proof of map recordation has been filed with the City of Montclair.
 - c. Dedication to the City of Montclair public street rights-of-way to the satisfaction of the City Engineer as follows:
 - i. Howard Street – 13'-0"
 - ii. Fremont Avenue – 3'-0"
 - d. Dedication to the City of Montclair and/or other public agencies easements for water, storm drains, sanitary sewers and other utilities.
 - e. Half-street improvement plans for Howard Street and Fremont Avenue for the length of the project limits, and street improvement plans for Carrillo Avenue, Clair Street, Marion Avenue, Poulsen Avenue and Saddleback Street to the satisfaction of the City Engineer. Plans shall comply with State and/or City disabled-accessible requirements for ramps, street access, and parking. Cul-de-sacs and knuckles shall be designed and constructed per City standards.
 - f. Execution of a Subdivision Agreement with the City of Montclair containing provisions for performance and payment bonds for all work

- b. Submit two complete sets of plans for each model/elevation, including structural and Title 24 calculations, and three additional sets of architectural plans, including elevations, colors, and materials for review and approval by the Building and Planning Divisions. Contact Rudy Gomez, Senior Building Inspector, at 909/625-9437 for an appointment to submit plans.
- c. Prepare and submit plans for erosion control and storm water pollution prevention to the satisfaction of the City Engineer. A general construction permit may be required. Contact Joe Rosales, NPDES coordinator, at 909/625-9470 for requirements.
- d. Submit the following for review and approval by the Planning and Building Divisions (as applicable):
 - i. A detailed landscaping and irrigation plan for the following locations:
 - A. The front yard of each new residence, including sod turf, a variety of shrubs, two (2) street trees as designated herein, and at least one 15-gallon container size accent tree. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.
 - B. The street side yard of Lots 1, 8, 14, 15, 25, 30, 33 and 34 that includes shrubs, climbing vines and three (3) street trees as identified herein.
 - ii. Masonry wall details consistent with those described herein.
 - iii. Renderings and proposed locations for neighborhood mailboxes within the subdivision. Before submission to the City for review, the applicant shall first obtain approval of the design style and siting from the United States Postal Service.
- e. Submit four (4) complete sets of plans for an approved, automatic fire sprinkler system for each residence directly to the Fire Marshal's office for review and approval, including two sets to be microfilmed/digitally imaged. The system shall conform to national standards. The system shall be equipped so to provide a signal to a UL-listed monitoring station in the event of a water flow or tampering.
- f. Pay all required Montclair Fire Department fees.
- g. Pay adopted parkland development fee of \$2,509 per dwelling unit.
- h. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.

11. Prior to commencement of the framing stage or delivery of lumber to any location within the tract boundary, the applicant shall provide an all-weather access within each street right-of-way. An all-weather access is defined as base course A.C. pavement to a minimum depth of 2½ inches and having a minimum width of 26'-0". This 26-foot width shall be maintained free and clear of construction equipment, materials and debris at all times during construction.
12. The applicant shall construct the following improvements in conjunction with the project:
 - a. A split-face masonry wall (or similar decorative material), 6'-0" in height, 4'-0" back of the public sidewalk, in the street side yards of Lots 1, 14, 15, 25, 33 and 34. Said decorative walls shall include a return to the front corner of the residence on the respective lots. A split-face column, 6'-6" in height, shall anchor each corner of the wall.
 - b. A split-face masonry wall (or similar decorative material), 6'-0" in height, 6'-0" back of the public sidewalk, in the street side yards of Lots 8 and 30. Said decorative walls shall include a return to the front corner of the residence on the respective lots. A split-face column, 6'-6" in height, shall anchor each corner of the wall.
 - c. A precision block masonry wall, 6'-0" in height, along the rear property lines of Lots 1-39, except that said wall shall be split-face masonry on the side within the front yard setback of Lots 9 and 31.
 - d. A precision block masonry wall, 6'-0" in height, along the southerly property line of Lot 39 back of the front yard setback line. Said wall shall terminate at a split-face column, 6'-6" in height, at the front setback line.
 - e. A decorative masonry wall, 2'-6" in height, along the southerly property line of Lot 39 between the front yard setback line and the public sidewalk along Carrillo Avenue. Masonry block shall be decorative on both sides.
 - f. A temporary wood fence, 3'-6" in height, along the southerly property line of Lot 39 atop the 2'-6" wall described in subsection (e) above.
 - g. A detailed wall/fence plan showing details for all perimeter walls and property line fences consistent with the conditions contained herein.
13. Street tree designations for Tract No. 17191 shall be as follows:
 - a. Howard Street - *Geijera parviflora* (Australian Willow)*
 - b. Fremont Avenue - *Jacaranda mimosifolia* (Jacaranda)*
 - c. Carrillo Avenue – *Chitalpa tashkentensis* 'Morning Cloud' (Chitalpa)*
 - d. Clair Street – *Chionanthus retusus* (Chinese Fringe)*

- e. Marion Avenue – Ginkgo biloba ‘Autumn Gold’ (Maidenhair)*
- f. Poulsen Avenue – Tabebuia ipe (Pink Trumpet), three per lot, 30 feet on center.
- g. Saddleback Street – Lagerstroemia indica ‘Rubra’ (Crape Myrtle), three per lot, 30 feet on center.

All trees shall be minimum 24-inch box size and double-staked per City standards. (*Two per residential lot, minimum 35 feet on center.)

- 14. Maintenance of landscape areas in front yards and street side yards shall be the responsibility of the developer until the respective residences become occupied, at which time the responsibility for maintenance shall transfer to the respective property owners.
- 15. The applicant shall incorporate sufficient sound attenuation measures (i.e. dual-paned glazing, upgraded insulation, etc.) in each residence to achieve a maximum interior noise level of 45dBA.
- 16. Elevations of each proposed dwelling shall reflect the inclusion of enhanced glazing (full divided-lights or divided-lights over single-light) on all primary elevations and those secondary elevations facing and visible to public rights-of-way, and window surrounds and/or enhancements (wood, stucco-over-foam, shutters, pot shelves or similar) on all building elevations.
- 17. The address of each new residence shall be displayed in minimum four-inch (4”) tall numerals on a contrasting background and backlit with a low-voltage illumination source. Said identification shall be installed in a consistent location on each residence.
- 18. All large mechanical devices, such as air conditioning condensers, shall be located on the ground within interior yard areas not visible to the public right-of-way. All wall- and roof-mounted exhausts and vents shall be designed to be compatible and blend with the architectural design of each residence.
- 19. Fences and walls within front yard setbacks shall not exceed 42 inches in height. Chain-link is expressly prohibited for property fencing.
- 20. No construction within the public right-of-way shall commence until a public works permit is obtained from the City’s Public Works Department and all applicable fees paid. All utility lines installed to serve the new development shall be placed underground from the nearest existing power pole or other point of connection not adjacent to the property frontage. The sewer connection improvements may be shown on either the street improvement or grading improvement plans.
- 21. Saddleback Street shall be constructed as a “phased construction” in conjunction with proposed Tentative Tract No. 17422 to the south. Full curb, gutter and sidewalk improvements shall be required for the north side of the

street. If Tentative Tract No. 17191 develops prior to Tentative Tract No. 17422 to the south, the developer of Tentative Tract No. 17191 shall install base course A.C. pavement (three-inch minimum thickness) to at least 12'-0" south of the Saddleback Street centerline. "NO STOPPING AT ANY TIME" signs shall be placed at the temporary south edge of the roadway. If Tentative Tract No. 17191 develops subsequent to Tentative Tract No. 17422 to the south, the developer of Tentative Tract No. 17191 shall install any remaining base course A.C. pavement required on the north side of Saddleback Street, then cap the entire street with 0.10 feet of A.C. pavement. Developer shall be responsible for obtaining necessary easements for construction purposes and dedicate to the City of Montclair.

22. If Tentative Tract No. 17191 develops prior to Tentative Tract No. 17422 to the south, the applicant shall construct an A.C. berm and transition flow line along the east side of Fremont Avenue commencing at the south edge of the required A.C. base course on Saddleback Street southerly a sufficient distance satisfactory to the City Engineer to facilitate positive stormwater flow along Fremont Avenue.
23. "STOP" signs, legends and limit lines shall be installed on Marion Avenue at Saddleback Street, Saddleback Street at Fremont Avenue, and may be required on Clair Street at Poulsen Avenue.
24. Residential drive approaches ("W") and driveways (as measured at front property line) shall be a minimum of 10'-0" and a maximum of 12'-0" in width. Driveways may flare to the full width of the two-and three-car garages. Top of "X" shall be no closer than 5'-0" to property line. Public sidewalks shall be fully disabled-accessible and shall pass behind drive approaches (not applicable if parkways are incorporated into the project.)
25. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
26. Regional Sewerage Supplemental Capital Outlay fees are required in accordance with Section 9.20.430 of the Montclair Municipal Code and the Inland Empire Utilities Agency (IEUA).
27. Payment of all outstanding sewer reimbursement fees as imposed by a district, if any, or any assessments shall be required. Contact Dennis McGehee, Environmental Control Specialist, at 909/625-9446 for fees/assessments.
28. All drainage tributary to the subdivision shall be intercepted and conveyed through the subdivision to the satisfaction of the City Engineer.
29. No soil may be imported or exported 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. Contractor(s) shall be responsible for complying with all NPDES requirements.

30. Underground Service Alert shall be notified 48 hours prior to any excavation at (800) 422-4133.
31. 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.
32. A 26-foot wide, unobstructed all-weather roadway capable of supporting firefighting apparatus shall be maintained within 150 feet of all structures prior to and for the duration of construction. Roadway is subject to Fire Department approval prior to commencement of construction.
33. The applicant/developer/general contractor is responsible for reasonable periodic clean-up of the construction site to avoid hazardous accumulation of combustible trash and debris.
34. A fire hydrant system shall be required to provide the necessary water flow to the proposed subdivision. Exact number, location and design of hydrants shall be determined by the Fire Marshal's Office when building plans are received. Hydrants shall be active prior to the framing stage of construction.
35. The developer shall contact the Fire Marshal's Office for drive access requirements prior to gutter and curb-line placements.
36. A final release of occupancy is required for each residence. Final release by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.
37. Prior to the first release of occupancy, the applicant shall complete the following improvements to the satisfaction of the City Engineer:
 - a. Remove all on-site utility poles and overhead utility lines from the project site.
 - b. Underground all overhead utility lines along the south side of Howard Street and the east side of Fremont Avenue for the length of the project limits to the nearest pole not adjacent to the property frontage and remove all abandoned utility poles.
 - c. Construct all approved improvements along the Howard Street and Fremont Avenue frontages of the project site, including, but not limited to construction of P.C.C. curb, gutter and sidewalk, and asphaltic concrete (A.C.) pavement, and installation of landscaping and irrigation.
 - d. Install concrete standard streetlights along the south side of Howard Street and the east side of Fremont Avenue for the length of the project limits, and on the interior streets of the subdivision in a quantity and spacing to the satisfaction of the City Engineer. Streetlights shall be owned and maintained by Southern California Edison. Lighting level on

interior streets shall be a minimum 0.3 foot-candles within street rights-of-way, and 0.6 foot-candles along Howard Street and Fremont Avenue.

- e. Install a City-approved tract street sweeping sign on the west side of Poulsen Avenue south of Howard Street. Coordination shall be through Mario Orioli, Public Works Superintendent, at 909/625-9466.
 - f. Erect a semi-permanent barricade at the easterly terminus of Clair Street and install "END" and "FUTURE STREET EXTENSION" signs on said barricade if development precedes development of Tract No. 16884.
 - g. Erect a semi-permanent barricade at the southerly terminus of Carrillo Avenue and install "END" and "FUTURE STREET EXTENSION" signs on said barricade if development precedes development of Tract No. 17422.
38. The applicant shall provide a written disclosure to prospective buyers of each residential lot, a copy of which shall be provided to the City and maintained on file, that Clair Street and Carrillo Avenue are designed as stub streets that will eventually be extended to serve additional residences at some future date.
39. The applicant shall provide a written disclosure to the prospective buyers of Lot 39 that the temporary wood fence described herein shall be removed in its entirety at such time that development occurs on the property immediately to the south of the southerly tract boundary. Said documentation shall also be recorded with the County of San Bernardino as a covenant on both parcels.
40. Prior to release of occupancy for any of the dwelling units in the subdivision, 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.
41. 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.
42. The applicant shall agree to defend, at his sole expense, any action brought against the City, its agents, officers, or employees because of the issuance of this approval; or, in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees for any damages, loss, court costs and attorney fees that the City, its agents, officers, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of

any such action, but such participation shall not relieve applicant of his obligations under this condition.

4. CASE NUMBER – 2005-13
Jorge Castaneda
10331 Kimberly Avenue
Request for a Precise Plan of Design

Associate Planner Frazier-Burton reviewed the staff report.

Chairman Lenhart asked how many vacant lots would be left on the block. Associate Planner Frazier-Burton replied that it will leave one lot next to this project, which is already being processed for the next Planning Commission meeting.

Commissioner Vodvarka moved that, based on the evidence submitted, a finding is made that the project is categorically exempt from the provisions of the California Environmental Quality Action (CEQA), pursuant to Section 15303(b), Class 3, in that the project involves the construction of a duplex in a completely urbanized area, the project is in conformance with the adopted General Plan and no variance or exceptions are required, seconded by Commissioner Johnson, there being no opposition to the motion, the motion passed 5-0.

Chairman Lenhart moved to approve the Precise Plan of Design request under Case No. 2005-13 for the proposed duplex residences as described in the staff report and depicted on the submitted plans, subject to the 33 conditions of approval, seconded by Commissioner Vodvarka, there being no opposition to the motion, the motion passed 5-0.

1. This Precise Plan of Design (PPD) approval is for the site plan, floor plans, elevations, colors, materials, and conceptual landscape plan for the construction of two-story duplex building with 1,301 square feet of living space per unit and a two-car garage for each unit in the R-3 (Multiple-Family Residential) zoning district, and all associated on-and-off-site improvements at 10331 Kimberly Avenue.
2. PPD approval shall be valid for a period of one year and shall automatically expire on the anniversary date of Planning Commission approval, unless the applicant is diligently pursuing building plan check toward eventual construction 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 PPD expiration date.
3. The applicant and/or property owner shall ensure that a copy of the Planning Commission approval letter, 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.
4. Prior to submittal of grading plans or other improvement plans, the applicant shall prepare and submit for review and approval a Water Quality Management

Plan (WQMP) in accordance with the State of California Santa Ana Regional Water Quality Control Board Guidelines for San Bernardino County to Joe Rosales, NPDES Coordinator. WQMP Guidelines may be purchased from the City of Montclair or are available for review on-line at: www.swrcb.ca.gov/rwqcb8/html/san_bernardino_permit.html. The Water Quality Management Plan shall be prepared by a Registered Civil Engineer or other qualified professional as may be authorized in the guidelines.

5. Prior to issuance of grading permits, the applicant shall submit the following documents to the City Engineer for review and approval:
 - a. A preliminary soils report, addressing the geology, stability of the site, and grading requirements.
 - b. A comprehensive grading and drainage plan prepared by a registered civil engineer in conformance with Chapter 70 of the Uniform Building Code and the requirements of the City. An advance plan check fee, in an amount to be determined by the City Engineer, shall be required at the time of plan submittal. Prior to the commencement of grading or any clearing of the site, a grading permit shall be obtained from the Building Division.
 - c. Dedication to the City of Montclair and/or other public agencies easements for water, storm drains, sanitary sewers and other utilities.
 - d. Street improvement plans for Kimberly Avenue to the satisfaction of the City Engineer. Plans shall comply with State and/or City disabled-accessible requirements for ramps, street access, and parking. Street improvement plans shall include, but not be limited to, removal and replacement of P.C.C. curb, gutter and sidewalk, A.C. pavement and concrete standard streetlight(s). Disabled-accessible path-of-travel shall be maintained through drive approaches.
 - e. Plans for erosion control and stormwater pollution prevention. A general construction permit may be required. Contact Joe Rosales, NPDES Coordinator, at 909/625-9470 for requirements.
 - f. A letter of non-interference from any utility company that may have rights of easement within the property boundaries.
 - g. "Will-serve" letters from all utilities serving the site. The subdivider/developer will be required to coordinate with the various public utilities for the necessary improvements for said utilities to service the site.
6. No construction within the public right-of-way shall commence until a public works permit is obtained from the City's Public Works Department and all applicable fees paid. All utility lines installed to serve the new development shall be placed underground from the nearest existing power pole. The sewer

connection improvements may be shown on either the street improvement or grading improvement plans.

7. Prior to issuance of building permits, the applicant shall:
 - a. Submit two complete sets of plans, including structural and Title 24 calculations, and three additional sets of architectural plans, including elevations, colors, and materials, electrical, plumbing, mechanical, landscaping, lighting, and accessibility details for review and approval by the Building and Planning Divisions. Contact Rudy Gomez, Senior Building Inspector, at 909/625-9437 for an appointment to submit plans.
 - b. Submit detailed plans for all perimeter walls and fencing.
 - c. Submit detailed plans for all new exterior building-mounted lighting for review and approval by the Planning and Building Divisions.
 - d. Submit detailed landscaping and irrigation plans, which shall include sod or hydro seed turf, a variety of shrubs, a minimum of one 15-gallon container size accent tree, and two (2) Podocarpus henkelii (Long-Leafed Yellow Wood) street trees, 30 feet on center, along the Kimberly Avenue frontage. Street trees shall be minimum 24-inch box size and double-staked per City standards.
 - e. Submit four (4) complete sets of plans for an approved, automatic fire sprinkler system directly to the Fire Marshal's office for review and approval, including two sets to be microfilmed/digitally imaged. The system shall conform to national standards. The system shall be equipped so to provide a signal to an UL-listed monitoring station in the event of a water flow or tampering
 - f. Pay all required Montclair Fire Department fees.
 - g. Pay adopted parkland development in-lieu fee of \$2,509 per dwelling unit to the City of Montclair.
 - h. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.
8. Final plans shall incorporate sufficient sound attenuation measures (i.e. dual-paned glazing, upgraded insulation, etc.) in each residence to achieve a maximum interior noise level of 45dBA.
9. Elevations of the residential building shall reflect the inclusion of enhanced glazing (full divided-lights or divided-lights over single-light) and window surrounds and enhancements (wood, stucco-over-foam, shutters, pot shelves or similar) on both floors of the west- and south-facing elevations and on the second story (at a minimum) of the east- and north-facing elevations.

10. The numerical address of the new residence shall be displayed in minimum four-inch (4") tall numerals on a contrasting background and backlit with a low-voltage illumination source on the west-facing elevation of the building in a location clearly visible to the public street.
11. All decorative exterior lighting shall incorporate illumination sources of an appropriate wattage so as to not create any nuisance glare to the public right-of-way or neighboring properties. Should the applicant desire to install any building-mounted wide area lighting, it shall consist of fixtures set at 90 degrees to the building wall and incorporating fully cut-off lenses so as to direct illumination down to the surface to be illuminated. All soffit lighting installed on the exterior of the building shall be flush-mounted so that the lens or bottom of the fixture is flush with the underside of the soffit. The use of wall packs, barnlighters, or other similar unshielded luminaires shall be prohibited.
12. Fences and walls within the front yard setback shall not exceed 48 inches in height. Chain-link is expressly prohibited in front yards and as interior side yard fencing.
13. All utility services to the new building shall be installed underground from the nearest existing power pole or other point of connection not on or adjacent to the property frontage. All on-site utility poles and overhead utility lines shall be removed from the project site.
14. All large mechanical devices, such as air conditioning condensers, shall be located on the ground within interior yard areas not visible to the public right-of-way. All wall- and roof-mounted exhausts and vents shall be designed to be compatible and blend with the architectural design of each residence.
15. Construction drawings submitted to the Building Division for plan check review shall comply with Montclair Security Ordinance No. 357.
16. Landscape maintenance shall be subject to immediate and periodic inspections by the City. The property owner shall be required to remedy any defects in grounds maintenance and replace any trees, shrubs, vines, or groundcover with a similar species, size, and quantity that are lost due to unauthorized removal, disease, windstorm, or other natural disaster as indicated by the City inspector, within two weeks after notification. Inspections shall be based on automatic landscape irrigation schedule, plant maintenance, weed and rubbish control, landscape plan approval, and any other area that is incidental to grounds maintenance.
17. All new trees incorporated into the project shall be trimmed and maintained per guidelines established and approved by the International Society of Arboriculture (ISA).
18. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.

19. The applicant and/or property owner shall be responsible for maintaining the building's lighting, landscaping, and all improvements in good working order at all times. Any accumulation of trash, weeds, or debris on the property shall be removed immediately so as not to present a public nuisance. Graffiti on the building or associated improvements shall be removed immediately by the applicant/property owner upon notification by the City.
20. No construction within the public right-of-way shall commence until a public works permit is obtained from the City's Public Works Department and all applicable fees paid. The sewer connection improvements may be shown on either the street improvement or grading improvement plans.
21. Residential drive approach ("W") and driveway (as measured at front property line) shall be a minimum of 10'-0" and a maximum of 12'-0" in width. Driveway may flare to a maximum of 18'-0" in width beyond the front setback line. Top of "X" shall be no closer than 5'-0" to property line. Public sidewalk on Kimberly Avenue shall be fully disabled-accessible.
22. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
23. Payment of all outstanding sewer reimbursement fees imposed by a utility district, if any, or any assessments shall be required. Contact Dennis McGehee, Environmental Control Specialist, at 909/625-9446 for information.
24. Regional Sewerage Supplemental Capital Outlay fees are required in accordance with Section 9.20.430 of the Montclair Municipal Code and the Inland Empire Utilities Agency (IEUA).
25. No soil may be imported or exported 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. Contractor(s) shall be responsible for complying with all NPDES requirements.
26. Underground Service Alert shall be notified 48 hours prior to any excavation at 800/422-4133.
27. 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.
28. The applicant/developer/general contractor is responsible for reasonable periodic clean-up of the construction site to avoid hazardous accumulation of combustible trash and debris.
29. Final inspection by the Building Division is required prior to occupancy of the subject building and shall be contingent upon Fire Department inspection and approval of all conditions.

30. Prior to final inspection and utility release for the residential units, the applicant shall:
 - a. Submit to the Building Division electronic images of all plans and records for the purpose of obtaining a building permit. Electronic images shall comply with the City's Electronic Archiving Policy.
 - b. Install all approved landscaping and exterior lighting.
 - c. Complete all required improvements within the public right-of-way.
 - d. Install all required Fire Department fire sprinkler and alarm system, hydrants and other improvements required as part of this project approval.
31. Prior to final inspection and utility release for the residential units, 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.
32. 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.
33. The applicant shall agree to defend, at its sole expense, any action brought against the City, its agents, officers, or employees because of the issuance of this approval; or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees for any damages, loss, court costs and attorney fees that the City, its agents, officers, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve applicant of its obligations under this condition.

INFORMATION ITEMS

City Planner Lustro reminded the Commission that the second Planning Commission meeting of May, scheduled for May 23, 2005, will be cancelled.

Commissioner Sahagun requested staff to provide an overview of development in south Montclair, possibly an aerial photo. City Planner Lustro commented that would be relatively easy to put together. We can identify the boundaries of each tract that has been approved or pending to give the Commission a sense of the big picture. He added that he would work

with GIS to try to conceptualize the street patterns within the tracts. We will include the area bounded by Mission Boulevard, Central Avenue, Phillips Boulevard and Monte Vista Avenue.

Commissioner Sahagun asked about the bus shelter adjacent to the Richmond American tract and noticed that it was not very big and would like to see for any future development that the bus shelters be required to provide shade and/or protection from the rain. City Planner Lustro responded that the subject bus shelter will have a solid roof when completed.

Vice Chairman Flores stated he noticed a man measuring his curb and when he inquired what was going on, he was advised that they may be getting some new sidewalks. He asked how the project was going to be taken care of. City Planner Lustro advised that the City has done several sidewalk infill projects primarily in the area east of Central. What we are focusing on are areas of the City where sidewalk is lacking and particularly where there are pedestrian routes to school. The City is covering the cost of the infill project; residents will not be assessed for the cost.

Commissioner Johnson thanked staff for its requirement that houses in the new tracts face onto the existing streets to blend into the fabric of the existing neighborhood. Since we are booming with development, we do not want to lose our sense of community.

Commissioner Johnson commented that the house at the southeast corner of Orchard Street and Marion Avenue has a wood fence on the west side that has fallen down, exposing the unkempt backyard.

Commissioner Johnson wished Planning Secretary Laura Berke a Happy Administrative Professional's Day.

Commissioner Vodvarka commented that the new house at the corner of Rose and San Bernardino (behind 7-11) is a very beautiful house and he encouraged everyone to stop by and take a look.

Commissioner Vodvarka stated that he is getting anonymous phone calls from people who have had it up to their ears with the neighbor with the junk in his yard and they are asking him to do something about it. He spoke with Code Enforcement and wondered if there was any way that he could make a newsletter to drop off to the neighbors.

ADJOURNMENT

Chairman Lenhert adjourned the meeting at 8:15 p.m.

Respectfully submitted,

Laura Berke
Recording Secretary