CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES

REGULAR ADJOURNED MEETING
Monday, March 27, 2006

CITY COUNCIL CHAMBERS
5111 Benito Street, Montclair, California 91763

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

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

ROLL CALL

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

Excused: Community Development Director Clark

MINUTES

The minutes of the February 27, 2006 Planning Commission meeting were presented for approval. Vice Chairman Lenhert moved to approve, Commissioner Vodvarka seconded, there being no opposition to the motion, the minutes were approved 4-0.

The minutes of the March 13, 2006 Planning Commission meeting were presented for approval. Vice Chairman Lenhert moved to approve, Commissioner Sahagun seconded, there being no opposition to the motion, the minutes were approved 4-0.

ORAL AND WRITTEN COMMUNICATIONS

None.

AGENDA ITEMS

6.a PUBLIC HEARING – CASE NUMBER 2006-14 'A'

Project Address:	North Montclair Downtown Specific Plan
Project Applicant:	City of Montclair
Project Planner:	Steve Lustro, AICP, City Planner
Request:	Amend General Plan designations from "Low-Density Residential," "Business Park," "Public/Quasi-Public," "General Commercial," and "Regional Commercial" to "Planned Development" for approximately 110.5 acres
Staff Recommendation:	Recommend City Council approval

City Planner Lustro reviewed the staff report.

Vice Chairman Lenhert asked if staff had any contact with anyone from that area. City Planner Lustro answered there was one inquiry and it was an exchange of voice mail messages from one of the property owners located within the Planned Development land use designation on the south side of Arrow Highway. The maps sent out with the notices did not identify the current "Planned Development" land use designation and that it would remain unchanged, so that was clarified for the caller.

Chairman Flores asked if there was any contact from the lady who attended a previous meeting and was concerned we were going to take her property. City Planner Lustro responded that he did not hear from her.

Commissioner Sahagun spoke with a gentleman from Palmetto Primo Acres regarding a parcel on Richton Street, who claimed he received the notice one week after the meeting. Commissioner Sahagun obtained a current address so that the property owner could receive future notices more timely. The property owner was concerned about what his property designation would become and the density. Commissioner Sahagun advised the property owner to meet with staff. City Planner Lustro asked which property it was and Commissioner Sahagun stated that he only had the assessor's parcel number. City Planner Lustro stated that staff would verify that the property owner is on the mailing list and if he was not, we would add him to the mailing list for any future mailings. City Planner Lustro commented that staff develops the mailing list directly from the County Assessor's information. If that information is incorrect for a particular property, staff has no way of knowing unless someone contacts us to correct the mailing address. Commissioner Sahagun asked about the proposed density on the subject property. City Planner Lustro replied that he is unable to answer until he knew exactly which parcel it is, as there are different designations along Richton Street.

Chairman Flores opened the hearing to the public for comments.

John Garcia, 4873 Olive Street, Montclair, commented that after going through his mail he finally found the notice. He inquired as to what is planned for the former Sam's Club site.

City Planner Lustro stated that at this time there is no approved project for that site, but staff has been working for a number of months with a developer who is proposing a residential project on that site. The site plan and the actual type of housing product has not been formalized yet, but staff feels we are very close and it will be 100 percent residential if the developer intends to move forward with what we have seen thus far. Mr. Garcia asked what the timeframe would be. City Planner Lustro replied that if the Specific Plan is adopted by the City Council in May of this year, and if the developer is successful in submitting something to the City by June or July, there is a possibility that they could get underway on their project before the end of year. Prior to staff moving forward on any project on that site, there would be public notices sent out to property owners within a 300-foot radius of the exterior boundaries of that property. If Mr. Garcia lives within that boundary, he would receive a notice for any public meetings related to development of that site.

Chairman Flores thanked the audience for attending and asked them to remember to fill out a speaker card if they would like to speak so that the names and address of each speaker are correct for the record.

Chairman Flores closed the public hearing and brought the item back to the Commission.

Commissioner Johnson commented that she really liked how everything was laid out and thanked staff for their work on preparing the materials.

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 proposed General Plan Amendment, including a DeMinimis finding of no effect on fish or wildlife, and a Negative Declaration has been prepared, seconded by Commissioner Sahagun, there being no opposition to the motion, the motion passed 5-0.

Vice Chairman Lenhert moved to approve the General Plan Amendment, changing the existing designations from "Low-Density Residential," "Business Park," "Public/Quasi-Public," "General Commercial," and "Regional Commercial" to "Planned Development" across approximately 110.5 acres within the boundaries of the North Montclair Downtown Specific Plan and as illustrated on attached Exhibit "A" by adoption of Resolution No. 06-1626, and forward it to the City Council for consideration, seconded by Commissioner Vodvarka, there being no opposition to the motion, the motion passed 5-0.

6.b CASE NUMBER 2006-12

Project Address:	5445 Rosewood Street
Project Applicant:	Maria L. Gonzalez
Project Planner:	Carol Frazier-Burton, Associate Planner
Request:	Precise Plan of Design for two-story addition to an existing residence
Staff Recommendation:	Approve Precise Plan of Design

Associate Planner Frazier-Burton reviewed the staff report.

Commissioner Johnson commented that she did not believe there would be an impact on neighboring residents, but she had a question about the second story windows and which

way are they facing. Associate Planner Frazier-Burton responded that there are two windows on the south-facing elevation over the garage.

Commissioner Sahagun asked if any neighbors had contacted staff regarding this item. Associate Planner Frazier-Burton replied that this item is a request for a Precise Plan of Design, for which staff does not mail notices, as it is not a public hearing.

Commissioner Sahagun commented that he was pleased to see that residents are adding square footage to their homes rather than just moving. His only comment is that he could not read the general notes and hoped that staff would get a better copy. Associate Planner Frazier-Burton noted that a full-size copy of the plans is displayed on the bulletin board as an exhibit.

Chairman Flores commented that he too found it difficult to read the general notes. On an item like this it did not make much difference but wanted staff to be careful on what they accept. It is better for the residents to enlarge their home and not leave the area because we have one of the best towns in the area.

Commissioner Vodvarka added that he was also glad to see the residents adding on to their homes because it would be financially difficult to sell and start over somewhere else with a new mortgage and higher property taxes.

Vice Chairman Lenhert moved that, based upon evidence submitted, there will be no significant impact on the environment as a result of the two-story addition to an existing single-family residence, and that a DeMinimis finding of no impact on fish and wildlife and Negative Declaration have been prepared, seconded by Commissioner Sahagun, there being no opposition to the motion, the motion passed 5-0.

Commissioner Vodvarka moved to approve the Precise Plan of Design request for the site plan, elevations, colors and materials for a two-story addition and remodel to the existing single-family residence per the submitted plans and as described in the staff report, subject to the 16 conditions, seconded by Commissioner Johnson, there being no opposition to the motion, the motion passed 5-0.

1. This Precise Plan of Design (PPD) approval is for the remodel of an existing, 296 square-foot patio, a 288 square-foot addition on the ground floor, an 814 square-foot second story addition, and the addition of an attached, 528 square-foot two-car garage at 5445 Rosewood Street, in the R-1 (Single-Family Residential) zoning district, subject to meeting all building setbacks, height and lot coverage requirements.

2. 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.

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. Applicant shall commence construction of the approved project within 180 days of the issuance of a building permit and shall diligently complete the construction within 180 days from permit issuance date unless an extension is granted by the Community Development Director in the event of unavoidable circumstances.

5. Prior to issuance of a building permit, the applicant shall:

    a. Submit five complete sets of architectural plans for the project, including building elevations, colors and materials, electrical, plumbing, mechanical, structural and Title 24 calculations 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 three (3) complete sets of plans for an approved, automatic fire sprinkler system for the entire 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.

    c. Submit revised building elevations illustrating the following:

        i. The exterior colors and materials on the proposed addition shall be consistent with the existing dwelling.

        ii. Addition of a belt course (stucco-over-foam, wood trim, etc.) or similar horizontal architectural element on the two-story element to break up the flat two-story wall plane.

    d. Pay all required Montclair Fire Department fees.

    e. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.

6. Any new air conditioning condenser units shall be located on the ground in the rear yard of the residence. All rooftop exhaust vents shall be painted to match as closely as possible the color of the roofing material on the residences.

7. The applicant/developer is responsible for reasonable periodic clean-up of the construction site to avoid hazardous accumulation of combustible trash and debris.

8. Final approval by the Building Division shall be contingent upon Fire Department inspection and approval of all conditions.

9. A final inspection is required prior to occupancy of the residential addition. A final approval by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.

10. Prior to approval of a final inspection for the addition, the applicant shall 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.

11. 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.

12. The developer/general contractor is to be responsible for reasonable periodic clean-up of construction site to avoid hazardous accumulation of combustible trash and debris.

13. The proposed structure shall require an approved automatic fire sprinkler system. The system shall conform to national standards. Three complete sets of plans of the sprinkler system shall be sent directly to the Fire Marshal's office for approval prior to installation of the system in residential structures. In commercial/industrial buildings, the system shall be so equipped as to provide a signal to a U.L. listed monitoring station in the event of a water flow or tampering. Plans for this system shall be submitted and microfilmed when submitting building plans. For these structures, four complete sets of plans of the sprinkler system shall be sent directly to the Fire Marshal's office for approval prior to installation of the system, including two sets to be microfilmed.

14. Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.

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 court costs and attorney fees that the City, its agents, officers, or employees may be required by a court to pay because 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.

6.c CASE NUMBER 2006-15

Project Address:	5000 Montclair Plaza Lane
Project Applicant:	Federated Department Stores, Inc.
Project Planner:	Jim S. Lai, Associate Planner
Request:	Precise Plan of Design for single-tenant sign program
Staff Recommendation:	Approve Precise Plan of Design

Associate Planner Lai reviewed the staff report.

Commissioner Sahagun asked when the move would be completed. Associate Planner Lai replied around September, 2006.

Vice Chairman Lenhert 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 Act (CEQA), pursuant to Section 15303, Class 3, in that the project involves the approval of a sign program to govern the installation of building-mounted signs, seconded by Commissioner Vodvarka, there being no opposition to the motion, the motion passed 5-0.

Commissioner Johnson moved to approve the Precise Plan of Design for a single-tenant sign program under Case No. 2006-15, subject to the seven conditions of approval, seconded by Vice Chairman Lenhert, there being no opposition to the motion, the motion passed 5-0.

1. This Precise Plan of Design (PPD) approval is for a single-tenant sign program at 5000 Montclair Plaza Lane. The approved components of the sign program include the following:

    a. Signs #E02, E05 and E07 – One (1) wall-mounted major identification sign each on the west, north and south elevations of the equipment parapet. The star logos and the opaque letters are proposed to be 8'-0" high individual channel letters with black aluminum faces with six-inch (6") deep black returns, and 50'-5" in overall length. The letters will be mounted to stand two inches off the wall and backlit for silhouette illumination. The star logo will be flash-mounted to the wall and internally illuminated with a red vinyl acrylic face and red returns. Each of the three signs will be 427 square feet in area.

    b. Sign #E04 – One (1) wall-mounted individual channel letter sign with 5'-0" high letters and star logo to be located on the west elevation of the building, approximately 30 feet south the store entry off the parking lot. Sign materials and illumination style will be identical to the primary store signs described above. The proposed area for this sign is 167 square feet.

    c. Signs #E01, E03 and E08 – Non-illuminated, fascia-mounted, 10" high plate letters and star logos on the exterior walls, one each on the south entrances and one on the north ground-level entrance.

d. Sign #E06 – One (1) acrylic letter set directly over the westerly store entrance fascia, nine inches (9") high, non-illuminated.

e. Sign #E09 – One (1) sign and star logo over the interior mall entry façade, 1'-6" high and 9'-5" long. The four-inch (4") deep black aluminum letters will be illuminated in the same manner as the primary sign.

2. Sign copy shall be installed in the locations illustrated on the applicant's submittal. All building façades upon which the new signs and logos will be installed shall be completely patched, covered or painted-over, subject to Planning Division approval, in order that no markings of the former signs will be visible.

3. Precise Plan of Design (PPD) approval of the sign program shall be valid for a period of 12 months and shall automatically expire on the anniversary date of Planning Commission approval, unless the applicant is diligently pursuing building plan check towards eventual installation of the signs. The applicant and/or property owner shall be responsible to apply for extension of time at least 30 days prior to expiration date. No further notice from the City will be given regarding the project's PPD expiration date.

4. Any future changes to the approved sign program shall require City review and approval prior to implementation.

5. Building permits shall be obtained from the City of Montclair prior to installation of signs.

6. To ensure compliance with the provisions of this Planning Commission approval, a final inspection is required from the Planning and Building Divisions when work has been completed. The applicant shall inform the Planning and Building Divisions and schedule appointments for such inspections.

7. 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 his obligations under this condition.

INFORMATION ITEMS

City Planner Lustro reminded the Commission that the State of the City is Thursday, March 30 at 11:30 a.m. and he hoped all could attend.

City Planner Lustro asked each Commissioner to complete and return the form requesting shirt sizes that was left in each place setting.

Commissioner Sahagun reported graffiti in the east parking lot of Saratoga Park on the trash enclosure.

Commissioner Sahagun commented that the Planner's Institute had a class on form-based codes and a lot of information on new types of development, lots of good speakers, information on building in the hurricane-affected states and other cities are following suit in this type of development. He wished there were more classes on that and wished staff could all attend. City Planner Lustro responded that there are funds in the budget for staff to attend the Planner's Institute, whether it is in Pasadena or Monterey. The issue is staff's workload and not having the ability to get away for even two or three days.

Vice Chairman Lenhert commented that someone has been parking a vehicle every night on the south side of Benito Street in front of Montclair High School.

Chairman Flores asked if staff had received his phone message regarding the church at Central and Phillips closing one lane of traffic every Sunday. He did not feel it was legal. City Planner Lustro responded that staff is aware that they do that every Sunday; however, the church and the northbound lanes of Central Avenue at that point are in the County, so there is not much we can do about it. Staff believes that the County is aware of it as well, but they must not have any concerns since they have done nothing about it.

Chairman Flores observed that the plywood barriers have been removed from the new Monte Vista Water District well site at Monte Vista and Richton.

Commissioner Johnson echoed Commissioner Sahagun's comments about the Planner's Institute. Next year it will be in San Diego so it should be easier for others to attend. The discussion that really caught her attention this year was regarding green buildings and she would like to see some of those incorporated into the North Montclair Downtown Specific Plan to reduce energy usage. She also received great information regarding historic preservation and historic buildings and again she wondered if any of the houses involved in the North Montclair Downtown Specific Plan area fit the qualifications.

Chairman Flores adjourned the meeting at 7:38 p.m.

Respectfully submitted,

Laura Berke
Recording Secretary