



**CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES**

**REGULAR ADJOURNED MEETING
Monday, August 14, 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 Sahagun and Vodvarka, Community Development Director Clark, Associate Planner Lai and Deputy City Attorney Holdaway

Excused: Commissioner Johnson, City Planner Lustro and Associate Planner Frazier-Burton

MINUTES

The minutes of the July 24, 2006 Planning Commission meeting were presented for approval. Commissioner Vodvarka moved to approve, Vice Chairman Lenhert seconded, there being no opposition to the motion, the minutes were approved 4-0.

ORAL AND WRITTEN COMMUNICATIONS

None.

AGENDA ITEMS

- 6.a CASE NUMBER 2006-29
Project Address: 9739 Ramona Avenue
Project Applicant: Victor Hugo Salcedo
Project Planner: Jim S. Lai, Associate Planner
Request: Precise Plan of Design for a two-story residential addition

Associate Planner Lai reviewed the staff report. Photographs of the house were provided for review.

Commissioner Vodvarka inquired whether the existing windows were dual-paned windows. Director Clark commented that the new construction would have to comply with Title 24 energy requirements.

Commissioner Sahagun commented that the plans contained very small print and were hard to read.

Chairman Flores commented that the site plan was very small and hard to read and maybe going to the next size that would be more readable. Director Clark commented that staff took the Commission's guidance that it wanted smaller, more consistent plans and have been asking applicants to submit; they draw them bigger in almost every case and staff thought the Commission's preference was for 11x17. Chairman Flores asked if we could try the next size for a couple times and see how that goes.

Vice Chairman Lenhart inquired what the percentage of change is where they would have to add fire protection. Associate Planner Lai replied that a net increase of 50 percent over the existing square footage. In this case, the proposed addition is closer to 35 percent of the existing square footage.

Commissioner Sahagun asked about a cellar or a basement and whether they are allowed. Director Clark stated that they could be permitted but are not required. Commissioner Sahagun further inquired if a resident wanted to build down instead of up, would it be allowed. Director Clark advised that it is a matter of design and construction. The construction costs are expensive and most people avoid it.

Chairman Flores commented that on the map there is a dashed line next to the channel and wondered if it is an easement line. Associate Planner Lai replied that is correct. The property line goes all the way to the centerline of the channel. Chairman Flores commented that would great information to have. Vice Chairman Lenhart commented that some of the flood control channel is an easement owned by the County. Director Clark stated that it is an easement and then they got an encroachment authorization from the flood control district to build a retaining wall and expand their backyard area. Commissioner Sahagun asked if we could require applicants to hire a professional or a consultant. Director Clark answered that we cannot prevent an owner/builder from being an applicant. Our only salvation is that we

get to review the plans and ask “have you thought about this” in order to achieve the best utilization of the property. Code-wise, we cannot require them to hire an architect.

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 15301(e)(1), Class 1, in that the project involves less than a 50 percent increase in floor area of the existing structure before the proposed addition, seconded by Chairman Flores, there being no opposition to the motion, the motion passed 4-0.

Commissioner Vodvarka moved to approve the Precise Plan of Design request for the site plan, elevations, colors and materials for a two-story addition to the existing single-family residence plus balcony and front porch per the submitted plans and as described in the staff report, subject to the 14 conditions, seconded by Vice Chairman Lenhert, there being no opposition to the motion, the motion passed 4-0.

1. This Precise Plan of Design (PPD) approval is for a two-story, 788.50 square-foot residential addition at 9739 Ramona Avenue, in the R-1 (Single-Family Residential) zoning district, subject to meeting all building setbacks, height and lot coverage requirements. The proposal consists of a 591 square-foot room addition, a 54 square-foot balcony on the second floor of the existing dwelling, a 197.50 square-foot addition to the existing double garage and a 55 square-foot front porch extension.
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 second-story 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, landscaping, lighting, and accessibility details, plus two sets of soils, 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 revised building elevations illustrating the following:
 - i. The proposed addition shall incorporate similar window treatments as the existing home, subject to Planning Division approval, on the south and west sides to mitigate the flat, two-story wall plane. Decorative light fixtures shall be included on both sides of the garage door.
 - ii. Exterior colors and materials, including roof extensions on the proposed addition and front porch shall be consistent with the existing dwelling.
 - c. Pay all required Montclair Fire Department fees, if required.
 - d. 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. Applicant shall provide low-maintenance landscaping and/or hardscape , subject to Planning staff approval, within the undeveloped portion of the triangular-shaped property prior to receiving final inspection for the room addition.
8. Applicant shall relocate or remove the storage building directly south of the garage so as to maintain a ten-foot building separation per Code before receiving final inspection from the City.
9. Applicant shall remove the non-permitted canopy on the south side of the garage within 30 days of this approval.
10. The applicant/developer is responsible for reasonable periodic clean-up of the construction site to avoid hazardous accumulation of combustible trash and debris.

11. A final release of occupancy is required for the residence. Final release by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.
12. 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.
13. 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.
14. 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

Commissioner Sahagun asked for a follow-up regarding an inquiry he previously made regarding trees uprooting sidewalks, curbs and pavement in his neighborhood. City Planner Lustro had responded that Public Works had marked several locations in the neighborhood for future infrastructure repair. Over the weekend, a large truck came in and all of the trees on the south side of Harvard Street from Monte Vista to Helena were removed, and he wondered if this was part of the project. Director Clark advised that he was not certain that they were even related. Mr. Clark did not believe it had anything to do with the storm drain project and possibly it was related to sidewalk repair. The storm drain project is to get water off of Palo Verde Street and convey it to the conservation basin. Commissioner Sahagun commented a while back that he did not see any sidewalks or trees that were marked and then after he made the comment, he saw a crew and saw some trees marked and wished the trees did not have to go. Director Clark commented that the trees will be replaced.

Commissioner Sahagun asked about what is going on with the old Neighborhood Partnership house. Director Clark advised there are some ongoing negotiations with the City regarding the disposition of the property.

Vice Chairman Lenhert advised that there are free seats available for the ethics training on August 23rd at Monte Vista Water District. It is a two-hour program in the afternoon that will be presented by an attorney from Best, Best & Krieger.

Chairman Flores adjourned the meeting at 7:37 p.m.

Respectfully submitted,

Laura Berke
Recording Secretary