



CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES

REGULAR ADJOURNED MEETING
Monday, December 10, 2007

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 Vodvarka led those present in the salute to the flag.

ROLL CALL

Present: Chairman Flores, Vice Chairman Lenhart, Commissioners Sahagun and Vodvarka, Community Development Director Clark, City Planner Lustro, Associate Planners Frazier-Burton and Lai and City Attorney Robbins.

Excused: Commissioner Johnson

MINUTES

The minutes of the November 13, 2007 Planning Commission meeting were presented for approval. Vice Chairman Lenhart moved, Chairman Flores 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 2007-39

Project Address: 5242 El Morado Street
Project Applicant: Davey L. Woodard
Project Planner: Carol Frazier-Burton, Associate Planner
Request: Precise Plan of Design for a single-family residence

Associate Planner Frazier-Burton reviewed the staff report.

Vice Chairman Lenhart 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(a), Class 3, in that the project involves the construction of a single-family dwelling in a residential zone, Commissioner Sahagun seconded, there being no opposition to the motion, the motion passed 4-0.

Commissioner Vodvarka moved to approve a Precise Plan of Design under Case No. 2007-39 for the construction of a single-family dwelling totaling 2,419 square feet, in the R-1 (Single-Family Residential) zoning district per the submitted plans and as described in the staff report, subject to the 27 conditions of approval, seconded by Commissioner Sahagun, there being no opposition to the motion, the motion passed 4-0.

1. This approval is for a Precise Plan of Design for the plot plan, elevations, colors, and materials in conjunction with the construction of a one-story, single-family residence with a two-car garage at 5242 El Morado Street.
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. Prior to issuance of building permits, the applicant shall:
 - a. Submit a comprehensive grading and drainage plan prepared by a registered civil engineer in conformance with the Appendix to Chapter 33 of the Uniform Building Code and the requirements of the City. 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, amount to be determined by the City Engineer, shall be required at the time of plan submittal.
 - b. 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 the Building Division at 909/625-9430 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 a detailed landscape planting plan for the front yard and street side yard of the residence, including the following:
 - i. One (1) Cupaniopsis anacardioides (Carrotwood) street tree to be installed along the El Morado Street frontage of the property.
 - ii. Two (2) Tabebuia ipe (Pink Trumpet) street trees, minimum 30 feet on center, to be installed along the Poulsen Avenue frontage of the property.
 - iii. Sod or hydroseed turf, ground covers, a variety of shrubs and at least two, 15-gallon container size accent trees.

All street trees shall be minimum 24-inch box size and double-staked per City standards.
 - e. Submit three (3) complete sets of plans for an approved, automatic fire sprinkler system for the 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.
 - f. Pay all required Montclair Fire Department fees.

- g. Pay adopted parkland development fee. (Currently adopted fee as of December, 2007, is \$2,800 per dwelling unit.)
 - h. Pay adopted transportation development impact fee. (Currently adopted fee as of December, 2007, is \$1,468 per dwelling unit.)
 - i. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.
5. The 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.
 6. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.
 7. Fences and walls within the front and street side yard setbacks shall not exceed 48 inches in height. Chain-link fencing is expressly prohibited.
 8. The applicant shall incorporate sufficient sound attenuation measures (i.e. dual-paned glazing, upgraded insulation, etc.) in the residence to achieve a maximum interior noise level of 45dBA.
 9. Elevations of the proposed dwelling shall reflect the inclusion of enhanced glazing (full divided-lights or divided-lights over single-light) and window surrounds and/or enhancements (wood, stucco-over-foam, shutters, pot shelves or similar) on all elevations.
 10. The new dwelling shall be connected to the City of Montclair sanitary sewer system.
 11. All utility connections to the new dwelling shall be underground.
 12. All large mechanical devices, such as air conditioning condensers, shall be located on the ground within the rear yard area not visible to the public right-of-way. All wall- and roof-mounted exhausts, vents, and/or dormers shall be designed to be compatible and blend with the architectural design of the residence.
 13. 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 residence shall be underground. The sewer connection improvements may be shown on either the street improvement or grading improvement plans.
 14. Residential drive approach ("W") and driveways (as measured at front property line) shall be a maximum of 18'-0" in width. Top of "X" shall be

no closer than 5'-0" to property line. Private driveway width at the back of the sidewalk shall match the drive approach width.

15. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
16. 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). Contact Nicole Greene, Environmental Manager, at 909/625-9446 for fees.
17. Payment of all sewer connection fees and outstanding sewer reimbursement fees as imposed by a district, if any, or any assessments shall be required. Contact Nicole Greene, Environmental Manager at 909/625-9446 for fees/assessments.
18. No soil shall 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.
19. Underground Service Alert shall be notified 48 hours prior to any excavation at (800) 422-4133.
20. 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.
21. Construction drawings submitted to the Building Division for plan check review shall comply with Montclair Security Ordinance No. 357.
22. 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. The applicant shall also be responsible for immediate removal of graffiti from all temporary and permanent improvements on the project site for the duration of construction, including buildings, windows, walls, fences, signs, poles and storage containers.
23. 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.
24. Prior to release of occupancy for the dwelling unit, 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.

25. Prior to the final release of occupancy, 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. Submit to the Engineering Division electronic images of the Water Quality Management Plan. Electronic images shall comply with the City's Electronic Archiving Policy.
 - c. Submit evidence to the NPDES Coordinator that the Water Quality Management Plan has been recorded with the County of San Bernardino.
 - d. Install all approved landscaping and permanent, automatic irrigation system within the front yard and street side yard of the residence.
 - e. Construct P.C.C. sidewalk along both street frontages of the project site, including a disabled-accessible ramp at the northwest corner of El Morado Street and Poulsen Avenue, and replace any substandard P.C.C. curb and gutter along both property frontages to the satisfaction of the City Engineer.
26. 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.
27. 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.

- 6.b CASE NUMBER 2007-41
Project Address: 9480 Autoplex Drive
Project Applicant: Infiniti of Montclair
Project Planner: Jim S. Lai, Associate Planner
Request: Precise Plan of Design for a single-tenant sign program

Associate Planner Lai reviewed the staff report.

Chairman Flores asked if applicants usually come in to see staff before they do a project and did staff have any problems with this request. Director Clark stated that they have been in quite a bit and it depends on the company involved. When you deal with a national tenant, they usually have a large sign company that makes the initial contact to tell staff what they have been asked to do and find out if they can do what they need to do to meet all local preferences and standards. Generally, they are pretty understanding and go back to the tenant and say, "Here's what we can do" and put the package together before staff ever brings it to the Commission. Chairman Flores commented that he was very pleased that clients feel like they can come over and talk to staff at any time about anything and it is really appreciated.

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 Act (CEQA), pursuant to Section 15311, Class 11(a), in that the project involves the approval of a master sign program to govern the installation of on-premise signs, seconded by Vice Chairman Lenhart, there being no opposition to the motion, the motion passed 4-0.

Vice Chairman Lenhart moved to approve the Precise Plan of Design for a master sign program under Case No. 2007-41, subject to the seven conditions of approval, seconded by Commissioner Vodvarka, there being no opposition to the motion, the motion passed 4-0.

1. This Precise Plan of Design (PPD) approval is for a revised single-tenant sign program at Infiniti of Montclair located at 9480 Autoplex Drive. The approved components of the sign program are as follows and as illustrated in the submitted sign program:
 - a. Monument Sign "A" – One (1) double-faced sign along the Autoplex Drive frontage. Sign area is 54 square feet with an overall height of 7'-4³/₄". Sign has an aluminum composite face with routed-out "INFINITI" copy and corporate logo on each side of sign face. Internally illuminated and placed on a 2'-3" tall base.
 - b. Wall Signs "B" & "C" – One (1) channel letter sign with logos each on the west and north elevations of the Nissan service building, replacing two existing channel letter signs and logos of similar dimensions. Sign copy to read "INFINITI" in 22-inch high copy with

black faces and anodized silver returns. The silver logo is 3'-8" in height. Sign area is 98 square feet each. Halo-illuminated.

- c. Canopy Sign "D" – One (1) channel letter sign on the north elevation of the Infiniti showroom to replace the "Infiniti-Montclair" building sign. New sign copy to read "Montclair" in 18-inch high copy with black faces and black returns. Sign area 13 square feet. Halo-illuminated.
 - d. Canopy Signs "E" – Two (2) channel letter signs on the east elevation of the service drive canopy. Sign copy to read "Service" in 15-inch high copy with black faces and black returns. Sign area is 7 square feet each. Halo-illuminated.
 - e. Freestanding Directional Sign "F" – One (1) single-face sign on the north side of the main entrance driveway on Autoplex Drive. Sign area is 4 square feet with an overall height of 4'-0". Sign has an aluminum composite face with rounded corners. Sign copy shall identify "Service" and "Parking" with directional arrows applied in reflective vinyl.
 - f. Wall Sign "G" – One (1) new channel letter sign with logos on the south elevation of the Infiniti dealership showroom facing Palo Verde Street with 22-inch black letters to read "INFINITI" and a silver logo of 3'-8" high. Halo-illuminated.
2. Precise Plan of Design (PPD) approval of the project 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 construction of the project. 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.
 3. Building permits shall be obtained prior to installation of the approved signs.
 4. Exposed raceways shall be expressly prohibited in association with channel letter signs.
 5. 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 the purpose of announcing the grand opening or advertising promotions shall require banner permits from the Planning Division prior to installation.

- b. Promotional window signs shall not occupy more than 25 percent of the aggregate window area.
 - c. At no time shall pennants, portable signs, inflatable signs, "human" signs other similar advertising devices be utilized on the property or off-site.
6. 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.
 7. 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.

6.c CASE NUMBER 2007-20

Project Address:	9780 Central Avenue
Project Applicant:	Montclair Town Center LLC
Project Planner:	Carol Frazier-Burton, Associate Planner
Request:	Request for time extension for Conditional Use Permit

Associate Planner Frazier-Burton reviewed the staff report.

Commissioner Vodvarka asked what was holding up the project, whether it was the Health Department or the reconfiguration or removal of parking spaces. City Planner Lustro replied that the primary obstacle thus far has been the County Health Department. The Health Department has minimum requirements for food establishments that this particular franchise, Dutch Brothers, has not encountered when they have opened locations in Oregon and Washington. California has different requirements and they are not only running into those issues here in San Bernardino County, but also in Los Angeles County as well. It is something they are going to have to deal with if they are going to expand their franchise into this part of the country. According to the applicant, the franchisee for Dutch Brothers is still intent on moving forward and opening up the franchise but trying to work through all the red tape. One of the primary obstacles is that the building is very small, 450 square feet. The floor plan that was submitted to the Health Department did not provide for adequate room inside the building for the required employee changing room and restroom.

Vice Chairman Lenhert asked if there were any major changes to the project's design. City Planner Lustro responded not at this point, but if there were going to be any major changes to the building itself, it would come back to the Commission.

Vice Chairman Lenhert moved to approve a six-month time extension (until June 25, 2008) for a Conditional Use Permit approval under Case No. 2007-20 for the site plan, elevations, colors and materials associated with the construction of a freestanding coffee kiosk at 9780 Central Avenue, subject to the original 35 conditions of approval, seconded by Commissioner Sahagun, there being no opposition, the motion passed 4-0.

INFORMATION ITEMS

Director Clark commented that he ran the numbers before the meeting and estimated that this was probably about his 550th Planning Commission meeting, which is not a record, because Associate Planner Lai holds the record and probably always will, but it is his last because he is retiring. He wanted to take the opportunity to thank the Commission and stated that our Commission was always a real treat to have because when he talked to his colleagues, he learned they do not have it like we have it and he really appreciated it. He also wanted to pass along that there will be a wine and cheese reception in his honor in the lobby on Wednesday at 6:00 p.m. and he hoped everyone could attend. Chairman Flores stated that he hated to see him go, but he knew that he had bigger and better things to do and the City appreciated everything Rob has done and we're going to miss you.

City Attorney Robbins commented that we will miss Rob and it will seem strange and different, but she wished him the best. Director Clark stated that it will not be that different because City Planner Lustro has been appointed as the new Community Development Director so there will be continuity. The Commission congratulated City Planner Lustro.

Commissioner Sahagun congratulated Director Clark on his retirement and congratulated City Planner Lustro on his appointment.

Vice Chairman Lenhert congratulated Director Clark on his retirement and congratulated City Planner Lustro on his appointment.

Commissioner Vodvarka commented that he had to say the same thing because as much time as he spends at City Hall, he feels very much at home here and will miss Rob, was happy to see City Planner Lustro get the promotion.

Chairman Flores commented that he was pleased to see that the site at Mission and Ada is being graded.

Chairman Flores commented that his family had a joyous time watching Santa come down his street for the first time. In fact, he came by twice, he went up the street and

came back down, fire engines and about five police cars. All the neighbors were out with their kids waving to Santa and it was pretty nice.

Chairman Flores adjourned the meeting at 7:24 p.m.

Respectfully submitted,

Laura Berke
Recording Secretary