



CITY OF MONTCLAIR  
PLANNING COMMISSION MINUTES

REGULAR ADJOURNED MEETING  
Monday, February 25, 2008

CITY COUNCIL CHAMBERS  
5111 Benito Street, Montclair, California 91763

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**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

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

Excused: Commissioner Lenhert

**MINUTES**

The minutes of the February 11, 2008 meeting were presented for approval. Commissioner Johnson moved, Vice Chairman Vodvarka 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 2008-5  
Project Address: 10412 Benson Avenue  
Project Applicant: Monica Noutfia  
Project Planner: Jim S. Lai, Associate Planner  
Request: Precise Plan of Design for a two-story, 1,338 square foot addition to an existing single-family residence

Associate Planner Lai reviewed the staff report and stated that staff did not receive any comments from any of the adjoining property owners.

Chairman Flores asked if staff heard from anyone that was notified within the 300-foot radius. Director Lustro clarified that staff does not do a 300-foot radius mailing for a second-story addition because it is not a public hearing; however, we mail courtesy notices to the abutting properties in case any of the neighbors have any issues about the second-story addition, privacy issues, aesthetics, etc. Associate Planner Lai indicated during his presentation that we did not receive any feedback or response from any of the neighbors.

Commissioner Johnson moved that, based on the evidence submitted, a finding is made that there will be no significant environmental impact, 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 4-0.

Vice Chairman 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 detached garage expansion per the submitted plans and as described in the staff report, subject to the 11 conditions of approval, seconded by Commissioner Sahagun, 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, 1,338 square-foot residential addition at 10412 Benson Avenue, in the R-1 (Single-Family Residential) zoning district, subject to meeting all building setbacks, height and lot coverage requirements that are applicable to this legal non-conforming lot. The proposal consists of a 669 square-foot ground floor addition to the west side of the existing residence and an equal 669 square-foot second floor addition. The total habitable area as a result of this proposed addition will be 2,100 square feet. Also included in the proposal are a 3'-6" x 36'-4" front porch and a 40 square-foot addition to the detached undersized garage.
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 two-story residential 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 John Clayden, Senior Building Inspector, at 909/625-9438 for an appointment to submit plans.
  - b. Submit revised building elevations illustrating the following:
    - i. The proposed new roof shall consist of 'Class A' architectural grade composition shingles or a higher grade material, such as concrete tiles, subject to Planning Division approval.
    - ii. Exterior window treatments, such as wood shutters, moldings or surrounds shall be incorporated on all first and second level windows of the residence that are visible from the streets to the satisfaction of the City Planner.
    - iii. Exterior building materials, textures, colors and light fixtures shall be specified in the final construction drawing and shall be subject to the review and approval of the City Planner.
    - iv. Proposed columns for the front porch shall incorporate decorative materials, such as stone, brick, tile and moldings to complement the architecture of the residence.
  - c. Submit three (3) complete sets of plans for an approved, automatic fire sprinkler system for the entire residence and the detached garage 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.
  - d. Pay all required Montclair Fire Department fees at time of fire sprinkler plan submittal.

- e. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.
6. The existing non-conforming chain-link fence and gates within the front yard setback shall be removed in their entirety within 90 days from issuance of a building permit for the addition or prior to its final inspection, whichever is sooner. Any replacement fence, up to 48 inches in height, shall be constructed of tubular steel or wrought-iron materials with or without pilasters. An encroachment permit from the Public Works Department is required for any fence located within the public right-of-way.
7. 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 residence.
8. The applicant/developer 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.
9. 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.
10. 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.
11. 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**

Director Lustro commented that in response to Commissioner Sahagun's inquiry at the previous Planning Commission meeting with regard to signage and pavement street legends in the vicinity of Moreno School, the City Engineer conducted a site visit and indicated he found no sign issues on Moreno Street in the vicinity of the school. All appropriate signage for the school zone and painted legends appeared to be in place. However, he also did a site visit a block south and checked San José Street in the

vicinity of Serrano Middle School and found that two signs appropriate for a school zone are not installed. He has asked City Yard staff to install those signs as soon as they are made up and are ready.

Commissioner Sahagun thanked staff for looking into the school zone signage issues.

Chairman Flores adjourned the meeting at 7:16 p.m.

Respectfully submitted,

Laura Berke  
Recording Secretary