



**CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES**

**REGULAR ADJOURNED MEETING
Monday, November 10, 2008**

**SOUTH CONFERENCE ROOM
5111 Benito Street, Montclair, California 91763**

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, Lenhart, and Sahagun, Community Development Director Lustro, City Planner Diaz and City Attorney Robbins.

Excused: Associate Planners Frazier-Burton and Lai

MINUTES

The minutes of the October 27, 2008 meeting were presented for approval. Commissioner Vodvarka moved, Commissioner Johnson seconded, there being no opposition to the motion, the minutes were approved 5-0.

ORAL AND WRITTEN COMMUNICATIONS

None.

AGENDA ITEMS

6.a CASE NUMBER 2008-31

Project Address: 4594 San Bernardino Street
Project Applicant: Chino Basin Water Conservation District (CBWCD)
Project Planner: Michael Diaz, City Planner
Request: Precise Plan of Design for a phased Master Plan

City Planner Diaz reviewed the staff report. He stated that the applicant was in attendance as well as their architect to answer any questions.

Eunice Ulloa, General Manager of Chino Basin Water Conservation District (CBWCD), stated that she will be heading up this project and added that their Board is extremely excited about this renovation. We are in the perfect storm of drought conditions and they will try to reinvent people's habits by changing their landscape, being more aware of water waste so they are taking advantage of this as well and feel it is their responsibility by setting an example of what to do. This renovation will include examples for landscaping and it also affords them the room to do the job they need to do. It is very, very confining in the existing building; they are literally just packed in the space. They are excited about the buildings because in the future you will be able to say, "Go to the Conservation District and see what this is like." Rain harvesting, permeable pavement, the "Low Impact Development (LID)" terminology that we hear about today, they will have examples of all of that.

Commissioner Sahagun asked how the recycled water will play a role. Ms. Ulloa replied that their entire site, except for the buildings where you must have potable water, is already converted to recycled water. Commissioner Sahagun asked where does the recycling take place and how does it arrive to the City. Ms. Ulloa replied that it comes from recycling plants in Rancho Cucamonga and Ontario.

Gerry Foote, Assistant General Manager of CBWCD, replied that over the summer lines were installed to accommodate recycled water to areas of the City, including their facility and park at the end of the line on San Bernardino Street. They had the grand opening for the City of Montclair's recycled water project at their park in July. They irrigate their garden and park with recycled water. Ms. Ulloa commented that they need to be an example because if they are not willing to comply, how can businesses and citizens be expected to? It is critical that they convert and set the stage and be an example.

Commissioner Sahagun asked about school tours. Ms. Ulloa answered that they pay for the busing because the schools are under a money crunch and a lot of the schools' field trips have been eliminated so they pay for the busing of the children to come to their facility so they can learn about conservation. With the new facilities, they will be able to explain more. She deferred to the plans and the eventual construction of an educational building. There are new standards that are coming out in 2010 and everyone has to be taught some portion of environmental friendliness and it is their intent to provide a facility to house 80 children at a time to come in learn about water conservation and environmental-type issues. The Board is 100% behind the project.

They know they have to set the example and put their foot forward and get to these little kids and impact their lives so they grow up and are interested in protecting their environment.

Mr. Foote commented that even the new maintenance building will be designed for solar power and natural ventilation. They are proposing to integrate solar electric and all the pavement throughout the park will be permeable. The renovated park will have new trees that are appropriate for this region to demonstrate low water use and attractiveness. The addition to the administration facility will have natural daylight, a "green" roof, "green" walls, and cisterns to demonstrate rainwater harvesting. In the foyer there will be displays of how hydrology works in the region because many people do not have a good sense of where their water comes from so if they can have a focus that teaches people about that, all of the exhibits will have greater meaning. It is going to be a marvelous resource for the community. The other thing about going "green" is it takes careful planning, design and programming to bring all of these things into the forefront and implement them. On a lifecycle basis, it will save money. For example, solar electric at first glance looks like a lot of money, but if you figure out how much money you would spend on electricity from the grid, on a life cycle basis, you will save money in the long run.

Ms. Ulloa commented that as the recycled line was constructed through the community there was a concerted effort to connect schools and parks. The conversion costs are sometimes prohibitive, especially for schools, so what the Conservation District has done is help fund the conversion by matching what the water district is putting forth to convert. We are actually putting money into the community to get public parks and schools on the recycled water.

Commissioner Lenhert commented that all the schools between Holt Boulevard and San Bernardino Street, except one, are being hooked up to it now.

Chairman Flores asked how a tour gets set up. Ms. Ulloa replied that the school can call and speak to Dave Schroeder, who does the tour. There is a form to fill out so the CBWCD can pay for busing. It is very, very simple. Dave has the personality to make the tour fun and exciting. When your water usage lifestyle changes, then you know you've made an impact. These kids can make a bigger impact on adults.

Ms. Ulloa introduced Juan Zamora CBWCD's auditing expert. Mr. Zamora stated that Commissioner Vodvarka had already taken advantage of the program, as did Bethany Baptist Church. He stated that they audit commercial, industrial, homeowner associations, and residential sites. They look at the irrigation system, compare water usage over the last year and factor in lot size, weather and give recommendations as to what can be done to save water and money. The program is good for everyone in the CBWCD's region. CBWCD is here to serve.

Ms. Ulloa commented that they also have irrigation and landscaping classes. One of the problems she noticed is that property owners are willing to convert to a drought tolerant landscape palette but that maintenance companies do not know how to take

care of the plants so they are offering their facilities to help train landscapers. The classes are also open to City employees from the Public Works Department.

Commissioner Sahagun asked if the audit service was provided free of charge as long as you are in the service area and if the classes were free. Ms. Ulloa responded yes to both questions.

Director Lustro commented that the City has run into the same problem with the EHIP program, in that a lot of the homeowners' gardeners have no idea how to maintain a native landscape. Staff has discussed trying it again with more education for homeowners.

Commissioner Lenhart moved that, based upon evidence submitted, the project is deemed exempt from the requirements of the California Environmental Quality Act (CEQA). The Planning Department has determined this project to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to sections 15301(e), 15303(c), and 15304(b) of the State CEQA Guidelines. The project qualifies because the site is an urbanized area, served by existing utilities, and involves modest improvements to the property owned by the water conservation district, including the expansion of the existing office building by less than 10,000 square feet, the construction of new accessory structures totaling less than 10,000 square feet, and the replacement of conventional landscaping with water efficient and native plant species. Moreover, there is no substantial evidence the project will pose a significant impact to the environment. The Planning Commission has reviewed the Planning Department's determination of exemption and based on its own independent judgment, concurs with staff's determination of exemption. As such, a DeMinimis finding of no impact on fish and wildlife will be prepared, seconded by Commissioner Johnson, there being no opposition to the motion, the motion passed 5-0.

Vice Chairman Vodvarka moved to approve a Precise Plan of Design (PPD) under Case No. 2008-31 for a Master Plan for Chino Basin Water Conservation District's facility at 4594 San Bernardino Street per submitted plans and as described in the staff report, subject to the 28 conditions of approval, seconded by Commissioner Lenhart, there being no opposition to the motion, the motion passed 5-0.

1. This PPD approval is for the Master Plan for an 8.20-acre portion of land owned by the Chino Basin Water Conservation District facility as depicted on approved plans on file with the Planning Division and as described in this report.
2. PPD approval for the Chino Basin Water Conservation District Master Plan 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. Prior to the development of any improvements in Phases 2-6 of the approved Master Plan for the Chino Basin Water Conservation District property, the applicant shall be required to submit subsequent application(s) for a Precise Plan of Design (PPD) and obtain City review and approval. The review of more than one Phase may be combined into a single PPD application. Projects in each phase of the master plan shall be subject to additional conditions of approval and/or requirements as required.
4. Approval of this PPD shall not waive compliance with any applicable regulations as forth in the California Building Code and/or City Ordinances, the San Bernardino County Health Department, or the State of California.
5. No public telephones, vending machines, children's rides or other coin-operated machines shall be located on the exterior of any building on the site or in any portion of Wilderness Park.
6. Sanitary sewers serving this development shall be designed to City standards and shall be privately maintained. The discharge of any wastewater into the sanitary sewer system shall conform to the requirements of Chapter 9.20 of the Montclair Municipal Code and Chapter 7 of the California Plumbing Code, as determined by the Building Official and Montclair Environmental Manager. Further, all future tenant improvements are subject to review and approval and may require pretreatment and/or other wastewater treatment process depending on nature of the proposed use(s).
7. Prior to submittal of grading plans or other improvement plans associated with any phase of this Master Plan, 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 (909-625-9470). WQMP Guidelines are available for review on-line at www.swrcb.ca.gov/rwqcb8/html/san_bernardino_permit.html or may be purchased from the City of Montclair. The Water Quality Management Plan shall be prepared by a Registered Civil Engineer or other qualified professional as may be authorized in the guidelines.
8. A fence plan detailing the location and design elements of the proposed fence in Phase 1 shall be submitted for review and approval, including the issuance of building permits. The plan shall indicate the proposed heights, materials, colors, and wall sections as appropriate.
9. A detailed landscape/irrigation plan prepared by a licensed landscape architect for all plant areas in Phase 1, and submitted for City review and approval.

10. Prior to the issuance of any permit for Phase 3 (administration building expansion and renovation), the applicant shall merge parcels identified as Assessor's Parcel Numbers 1009-172-10 and 11, to eliminate any property lines that would otherwise prevent expansion of the building. Parcels shall be merged in accordance with all requirements of the Subdivision Map Act and the Montclair Municipal Code.
11. Prior to the commencement of any grading or construction activities associated with any Phase of the approved Master Plan, the applicant shall ascertain and comply with any applicable requirements by the Engineering and Building Divisions, or Montclair Fire Department, including but not limited to, the submittal of plans for review and approval and the obtaining of required permits.
12. Prior to the issuance of any permits for any improvements associated with the approved Master Plan, the applicant shall ascertain and pay all required fees, including, but not limited to, the following:
 - a. Montclair Fire Department fees.
 - b. Transportation impact fees per the adopted Engineering Department fee schedule at the time building permits are obtained.
 - c. School fees for the Ontario-Montclair School District and the Chaffey Joint Union High School District.
 - d. Sewer reimbursement fees as imposed by a district, if any, or any assessments as required. Contact Environmental Manager at 909/625-9446 for fees/assessments.
 - e. Regional Sewerage Supplemental Capital Outlay fees as required in accordance with Section 9.20.440 of the Montclair Municipal Code and the Inland Empire Utilities Agency (IEUA). Contact Environmental Manager at 909/625-9446 for fees.
13. Prior to installation of any signs on the property, including temporary signs for construction or events, the applicant shall obtain City review and approval. 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 their installation.
 - b. At no time shall pennants, inflatable signs, "human" signs, other similar advertising devices be utilized on the property or off-site.
14. All utility services to new buildings shall be installed underground.

15. The applicant and/or property owner shall be responsible for maintaining the property (e.g., buildings structures, signs, lighting, fences, landscaping, etc.) in good condition and in 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 any building or associated improvements shall be removed immediately by the applicant/property owner upon notification by the City.
16. Landscape maintenance shall be subject to 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, normal wear and tear, 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. A 16-foot wide base asphalt, concrete or engineered turf block roadway capable of supporting firefighting apparatus is required prior to the framing stage of construction. This access is required to be maintained unobstructed throughout construction. Roadway is subject to Fire Department approval prior to construction.
19. The developer/general contractor is to be responsible for reasonable periodic clean up of the construction site to avoid hazardous accumulation of combustible trash and debris.
20. Planter areas in the center of drives and adjacent to entrances should be of low profile type, not to exceed eight feet in height when mature.
21. All Fire Department access and fire lanes shall be posted as "No Parking, Fire Lane." Signs shall be designed and mounted in accordance with Montclair Fire Department standards.
22. The proposed commercial structure(s) associated with this Master Plan shall require an approved automatic fire-sprinkler system. The system shall conform to all local and national standards. Three complete sets of the sprinkler system plans shall be submitted directly to the Fire Marshal's Office for approval prior to installation of the system in commercial structures. The system shall be so equipped as to provide a signal to a UL listed monitoring station in the event of water flow or tampering.
23. Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.

24. The developer shall contact the Fire Marshal's Office for drive access requirements prior to gutter and curb-line placements.
25. An approved emergency keyed access system shall be required to facilitate access to buildings or gates by Fire Department personnel in the event of an emergency during non-business hours. Forms are available at the Montclair Fire Department Headquarters for those occupancies requiring such a system.
26. Vehicle security gates shall be approved only with the use of hold-open devices to allow for emergency vehicles access. Contact Fire Marshal's office for specific requirements.
27. All Montclair Fire Department fees are due prior to any permit issuance.
28. 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 stated that the renovation of the Council Chamber is continuing to progress. The contractors have run into a couple glitches, but the latest information is that the Chamber will be completely finished by the end of November. The Council will meet there for its November 17 meeting. It is still undetermined whether the Planning Commission will meet in the Chamber for its next meeting, but staff will let them know.

Chairman Flores adjourned the meeting at 8:36 p.m.

Respectfully submitted,

Laura Berke
Recording Secretary