



CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES
REGULAR ADJOURNED MEETING
Monday, April 27, 2009

COUNCIL CHAMBER
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 Lenhert, Commissioners Johnson, Sahagun, and Vodvarka, Community Development Director Lustro, City Planner Diaz, and City Attorney Robbins.

Excused: Associate Planners Frazier-Burton and Lai.

MINUTES

The minutes of the April 13, 2009 meeting were presented for approval. Commissioner Johnson moved, Commissioner Vodvarka seconded, there being no opposition to the motion, the minutes were approved 5-0.

ORAL AND WRITTEN COMMUNICATIONS

None.

AGENDA ITEMS

6.a PUBLIC HEARING - CASE NUMBER 2009-6

Project Address: 8880 Benson Avenue, Suites 114, 115 & 117
Project Applicant: Arrow Centre Business Park, LLC, for
Abiding Love Family Church
Project Planner: Michael Diaz, City Planner
Request: Conditional Use Permit to allow a church use

City Planner Diaz reviewed the staff report. He advised that there was no opposition to the proposal, but that he had received one phone call from the tenant next door, Godfather's Insurance. The call was mostly to find out about the church use and that caller said as long as they (the church) have no opposition to being next door to the Godfather, he would be okay with them too. The applicants are in the audience for any questions about the church. If not, staff recommends approval of Resolution 09-1696, subject to the 39 conditions.

Commissioner Johnson stated that when she visited the property, she noticed many vacancies, but she forgot to take the map with her so she could not pinpoint exactly where it was going to be. City Planner Diaz provided clarification where the proposed church would be.

Commissioner Johnson asked about the motions on page 6.a-4 and whether the Commission was going back to the old way of making motions. City Planner Diaz replied that because there was a little confusion with the report format at the last meeting, staff refined the report to include shorter motions that the Commission could read when they were ready.

Commissioner Vodvarka concurred with Commissioner Johnson. He also went by the site and the only thing he saw that could be a problem is the shaking caused by trains when they go by. He wished the church good luck.

Commissioner Sahagun commented that we need places of worship to keep the public moral. Any time a place of worship wants to come to our city, he would be in favor of it. He was happy to see them come to town and wished them the best.

Chairman Flores commented that he liked the vicinity map on the cover sheet so that all will know where the project is, but would like to get one on the plans too.

Chairman Flores opened the public hearing.

Pastor Marc Anthony Sr., 706 E. J Street, Ontario, stated that he truly looked forward to being a part of the city and was in the process of researching and learning more about it. He commented that City Planner Diaz was as helpful as he could be to make sure he did everything to the manner in which would be satisfactory to the city. They looked forward to being a part of the fabric of the city and thanked the Commission.

Commissioner Johnson commented that when she joined her church, it was also in a strip mall, and eventually took over the entire complex. She drove through the proposed site and saw many empty spaces and wondered if as this church grew, had they any conversations with the property owner to be able to grow into the other spaces. Pastor Anthony replied that right now there is one space to the north of them that they would like to get at a later date, if available. There are not many tenants, but many of the tenants have multiple units and that is why it seems vacant, but it is actually quite full. This is his first venture so he is looking to get his feet planted, get a sure course going and then they can discuss future growth and things of that nature at a later time. It would be great if they were able to stay there and grow, but they are confident that should the Lord continue to favor them and they continue to grow, that he will provide one way or another. He commented that everyone was welcome to come and enjoy the train ride with them any time.

Chairman Flores commented that he was worried about the parking but has been assured that there is plenty of parking to go around. He further commented that the Commission's basic concern when they see something new is having plenty of parking. His other concern was in regard to restrooms, and whether they have been upgraded and he was assured that the applicant will have to go by our standards and it will be taken care of.

Chairman Flores closed the public hearing.

Vice Chairman Lenhart commented that in recent years we seem to have moved away from religion and it's good to see it coming back.

Commissioner Johnson moved that, based upon evidence submitted, the project is deemed exempt from the requirements of the California Environmental Quality Act (CEQA). Further, the project qualifies as a Class 1 exemption under State CEQA Guidelines Section 15301, which covers infill projects in significantly developed areas, seconded by Commissioner Sahagun, there being no opposition to the motion, the motion passed 5-0.

Commissioner Vodvarka moved to approve a Conditional Use Permit under Case No. 2009-6 subject to making the required findings, and subject to the 39 conditions as described in Resolution Number 09-1696, seconded by Chairman Flores, there being no opposition to the motion, the motion passed 5-0.

INFORMATION ITEMS

Community Development Director Lustro received a note from the City Clerk regarding the Council agendas. As everyone is aware, it has been the City's practice to provide full agendas of each City Council meeting to each of the Commissioners along with a select list of people who have requested a copy in the past. In the interest of saving money and trees, City staff has made the decision to make the full City Council agenda

available online on the City's website. The summarized Council agenda has always been available, as has the Planning Commission agenda, on the City's website, but now the full agenda with all the reports and detail will be available online and you can see what you are interested in. If you still desire to have a hard copy of the City Council agenda, you simply request it from the City Clerk's office and they will be happy to provide that to you. Along the same lines, staff is limiting the number of full agendas that will be sent out for the Planning Commission. In our department, we have had a list of folks who have requested a copy over a long period of time and we have started providing the full agenda online, along with the summary. If you visit the City's website and go to the Planning Division homepage, click on Planning Commission, it will get you to the agendas and you can take a look at the summarized agenda, which is the first two pages telling you what is on the agenda, or you can look at the full agenda as well.

Community Development Director Lustro commented that as we do each year, the second meeting in May (May 26, 2009) will likely be cancelled, which is the Tuesday after Memorial Day, because staff participates in the International Council of Shopping Centers conference the week before. What that means is that he and City Planner Diaz will be gone that week and will not have a chance to help put together the agenda for the meeting, which would normally be on May 26. The next meeting would be June 8, 2009.

Commissioner Sahagun was curious about how the closure of Office Depot, Circuit City, Comp USA and other businesses have impacted us financially and the services that we provide such as police, fire, and street sweeping. Community Development Director Lustro replied that without going into detail, all of those things, along with the downturn in retail sales has had a significant impact on the City's general fund. Administrative Services is assembling recommendations for the City Council to consider for cuts for the 2009-10 Fiscal Year that promise to be very significant. Each of the departments was responsible over the last few weeks to put together their proposed budget for 2009-10 and the budgets were due to be turned in last Thursday. A lot of hard work went into them and staff has had to make cuts to the budget like they have never made before. It is going to be pretty significant next year. Keep watching the Council agenda if you are interested in seeing what the scope of those cuts will be. Staff doesn't know yet. He was told that what the Finance Division is going to have to do along with Administrative Services is take a look at the proposed budgets that have been submitted for each department and figure out where we need to go from there. It will need to be determined if the cuts are significant enough or do we need to take other steps to try to balance the budget next year. Every city in the region is faced with the same challenge to one degree or another and quite honestly, and this is no secret, we have been hit pretty hard. We continue to move forward and talk with new potential businesses, and there are a few out there looking right now, but we will continue to do our best to try to bring them in.

Commissioner Johnson asked about North Montclair and inquired about the housing development for the former Sam's Club site and asked that if there is any way when plans for that site are configured, that we make sure people are not looking into each

other's houses. Having no privacy in your own house is almost like being violated and when she talks to people who are moving into those developments, the first thing they are trying to pick out is the one that has the most privacy. She has also heard of people moving out of those developments because they need more land and have no privacy. If we could design them in the first place so that the windows are not oriented towards each other so that those homes can have a little bit more privacy, she would be very happy. Community Development Director Lustro stated that her request was so noted and staff has heard the request before. He reminded the Commission that the development that was previously approved for the Sam's Club site over a year ago was different than the detached housing developments constructed in South Montclair over the past five or six years. The project on the Sam's Club site will feature an attached housing product which tends to minimize the problem. He noted that the type of housing being considered is most likely going to appeal to a resident who is not looking for a yard to keep up, and who opts for an urban style development. Folks who would tend toward that type of housing are going to be looking for and more accepting of the close quarters, but, nevertheless, Commissioner Johnson's comments are well taken. Staff will communicate the concern to the architect and developer for them to keep in mind as they plan. At the meeting staff had with the new development team for the site, staff was encouraged by the background of the new architect they have on board. The architect has some experience and background with urban style housing, has looked at the specific plan and his comment to other staff members is that he "gets it." Mr. Lustro indicated that he was contacted by the lead member of the development team at the end of last week and they think they might be ready to get together with staff in another couple weeks to discuss the project further.

Chairman Flores commented that he has noticed that the irrigation on the medians or areas that we can control are getting water into the street instead of into the lawn and with our water situation right now, he felt every little bit would help now.

Chairman Flores noticed students in the audience and asked if they would like to introduce themselves and commented that they are always welcome to the meetings.

Christina Bustamante, stated that she talked with City Planner Diaz last week and hoped to come in as a volunteer intern this summer. She mentioned that she is about one year away from graduation with no professional experience at all. So, any experience is great experience at this point. She stated that it was nice to meet the Commissioners.

Erica Gray from the University of La Verne stated that she is a junior taking a class in news reporting and one of the requirements is to attend public meetings. She mentioned that this was the third meeting she has attended and that it was nice to meet the Commissioners.

Chairman Flores adjourned the meeting at 7:32 p.m.

Respectfully submitted,

Laura Berke
Recording Secretary