



CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES
REGULAR ADJOURNED MEETING
Monday, May 11, 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 Johnson led those present in the salute to the flag.

ROLL CALL

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

Excused: Associate Planner Lai.

MINUTES

The minutes of the April 27, 2009 meeting were presented for approval. Commissioner Lenhart 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 PUBLIC HEARING - CASE NUMBER 2009-7
Project Address: 4672 Mission Boulevard
Project Applicant: JKT Investments
Project Planner: Carol Frazier-Burton, Associate Planner
Request: Conditional Use Permit and Precise Plan of Design

Associate Planner Frazier-Burton reviewed the staff report. She pointed out that staff had inadvertently omitted a recommendation for the Precise Plan of Design (PPD) in the staff report, and that a revised recommendation was prepared for the item in the memorandum placed at their seats. She also noted that the applicant was present to answer any questions.

Chairman Flores opened the public hearing.

B.P. Hanrath, 5912 Bolsa Avenue, Suite 202, Huntington Beach, of Trillium, stated that his company represents AT&T on this application for the cellular site. He indicated that they were in full support of staff's recommended conditions and worked closely with staff to find the right location on the site. He felt they had a plan that works well for the City and one that the Commission will remember as a good example of their work.

Commissioner Sahagun asked if the tower is capable of handling wireless networks in the future so that we would not have to have more towers. Mr. Hanrath replied that as technology improves, they are usually able to simply switch out existing antennas for more up to date models to handle the new technology. We are finding out that with wi-fi we are able to modify the existing antennas to facilitate that service.

Commissioner Sahagun also inquired whether the building itself blocked the signal. Mr. Hanrath replied that in this case the City's zoning code allows them enough height to be able to tuck it back there without interference, otherwise we would be asking for a variance. We are looking to shoot south to the residential areas and to Mission Boulevard. So, the signal is allowed to propagate and the wavelengths can form enough before it gets to the building and they are able to clear the building.

Commissioner Vodvarka asked if another carrier wished to work off that location, was there any way they can connect on the tower. Mr. Hanrath stated that they certainly can and the tower is designed for co-location within the "ball" area of the faux date palm. They have designed it sufficiently and it will be engineered at the foundation for an additional carrier to flush mount their antennas.

Chairman Flores commented that he was concerned about giving thought to additional users and asked if any additional palm leaves would need to be added or was everything in the trunk. Mr. Hanrath answered that there are conditions in the staff report that make sure that additional antennas are sufficiently stealth to hide them.

Chairman Flores closed the public hearing.

Vice Chairman Lenhart commented that the staff report described it as not being directly visible to Mission Boulevard, but it is visible right up the driveway. City Planner Diaz stated the antenna is about 500 feet back from Mission Boulevard and it is slightly to the side of the building so that at least its bottom half is partially blocked from view. He indicated that that the top part of the antenna would be visible, but that's what needs to be open to propagate signals without any blockage. He indicated that staff was confident that it was far enough back from the street so as not to be not directly visible overall.

Commissioner Sahagun asked about the life of the palm and the leaves themselves, asked for comments, thoughts and maintenance on them or the life of them and the condition of them after five years. City Planner Diaz replied that the applicant is responsible for maintaining the facility in top-notch condition. Occasionally, branches blow or fall off and when they do it will be the carrier's responsibility to fix it. It is his understanding that most of these facilities have a caretaker who periodically checks on the condition of the facility to make sure the structure and everything associated with it is properly maintained. There are conditions that will address those concerns.

Commissioner Vodvarka 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, Commissioner Sahagun seconded, there being no opposition to the motion, the motion passed 5-0.

Vice Chairman Lenhart moved to approve a Conditional Use Permit under Case No. 2009-7, subject to making the required findings and the 37 conditions as described in Resolution Number 09-1697, seconded by Chairman Flores, there being no opposition to the motion, the motion passed 5-0.

Commissioner Johnson moved to approve Precise Plan of Design request under Case No. 2009-7 for the site plan, mono-palm and equipment building associated with the proposed wireless telecommunications facility at the subject site per the submitted plans and as described in the staff report, subject to the 37 conditions of approval, seconded by Commissioner Vodvarka, there being no opposition to the motion, the motion passed 5-0.

INFORMATION ITEMS

Director Lustro reminded the Commission that there will not be a meeting on May 26, 2009. The next meeting is scheduled for June 8, 2009.

Director Lustro informed the Commission that staff prepared and just mailed a Request for Proposal to update the city's Housing Element of the General Plan. The last time the Housing Element was updated was in 2000. Many things have changed in Montclair in the last nine years with respect to some of the housing that has been built and the zoning changes that have occurred that allow housing in locations that were previously zoned Commercial. There has been one large affordable housing project constructed, there is another one under construction and we have another one entitled that staff hopes will start construction within the next year. So, in addition to being state mandated, staff feels that it has a good opportunity this time around to get the City's Housing Element certified by the State of California, which it never has, so that would be a huge accomplishment for the City. The RFP went out today, there is a 45-day window for any prospective consultants to return their proposals to us, making June 25th the due date. Staff will be looking at all those proposals when they come in and will do their best to select the best qualified consultant to prepare that.

Commissioner Sahagun commented that Mission Boulevard is looking very nice.

Vice Chairman Lenhert stated that he has found it very interesting how an area develops as the City improves Mission Boulevard.

Commissioner Vodvarka commented how well the City's website works for him now after some assistance from the City's IT Department. He now can view the agendas and minutes from his laptop computer. He asked whether hard copies would still be available at the meetings. Director Lustro stated that hard copies will still be available at the Chamber entrance and anyone who attends the meeting and wants a copy of the full agenda can get one at the door. On the City's website, you have the ability to read and print out a copy, and this is the second meeting that the complete agenda has been made available online. This way, you can print the complete copy of the agenda with staff report and resolution or just the two-page summary agenda. Commissioner Vodvarka stated that he found out so many things when he visited the website. He just gets more proud of Montclair each time he looks at the website and feels whoever put it together did a great job.

Commissioner Johnson mentioned that it was previously discussed and wanted to suggest, as a cost-saving measure, photocopying the minutes and agenda be double-sided. Everyone agreed.

Chairman Flores commented that he hoped everyone had a very nice Mother's Day. He also stated that to make sure speakers have their card already filled out, Vice Chairman Lenhert had an idea to put a sign by the entrance to notify people that if they wish to speak at the meeting, they need to fill out a speaker's card. Director Lustro replied that, unless it has been removed, there is a small sign there. Chairman Flores stated that by the time he notifies them that they need one, the meeting has already commenced.

Chairman Flores adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Laura Berke
Recording Secretary