CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES

REGULAR ADJOURNED MEETING
Monday, November 22, 2010

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

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

ROLL CALL

Present: Chairman Flores, Commissioners Johnson, Lenhert, and Vodvarka, Community Development Director Lustro, City Planner Diaz, Assistant Planner Gutierrez, and Deputy City Attorney Holdaway.

Excused: Vice Chairman Sahagun.

MINUTES

The minutes of the November 8, 2010 regular meeting were presented for approval. Commissioner Vodvarka moved, Commissioner Johnson seconded, and the minutes were approved 4-0.

ORAL AND WRITTEN COMMUNICATIONS

None.

AGENDA ITEMS

6.a PUBLIC HEARING - CASE NUMBER 2010-18

Project Address:	9059 Central Avenue
Project Applicant:	John Pedicini
Project Planner:	Michael Diaz, City Planner
Request:	Precise Plan of Design

City Planner Diaz reviewed the staff report. He stated if there were any questions the project architect and restaurateurs were present in the audience to answer any questions.

Commissioner Johnson asked about the trash enclosure and referred to Page 6.a-3 of the staff report. She recalled some time ago when there was a similar project and there was verbiage about the trash enclosures that would be constructed later, they were installed in a place that was detrimental to the neighbor. City Planner Diaz replied the applicant will work with staff to find a suitable location that is in close proximity to their use so they can use it but also be far enough away from any adjacent residential uses that might be impacted. A hot oil or cooking oil recovery system was also suggested in the staff report that would be contained within the building, if it is feasible to do so. The benefit of this system would be to eliminate any possibility of spillage and/or odors outside. At this point, staff expects the trash enclosure to near the back of the building which would be about 40 feet or more away from the nearest property line to the east. Director Lustro added that with respect to Commissioner Johnson's question, that the east side of the property backs up to the Montclair Towers, a commercial development at the corner of Moreno and Vernon, so the backs of the two properties adjoin one another. So, if the trash enclosure is located where City Planner Diaz described, there should not be a negative impact on the neighboring businesses.

Chairman Flores opened the public hearing.

Myung Chung, 9040 Telstar Avenue #105, El Monte, the project architect, has been working with Steve Lustro, Michael Diaz, and Silvia Gutiérrez, and really appreciated the effort to make the project nicer than what they originally intended. They tried to save as much money for his client, but staff required adjustments and they are very happy to have a nice project at this location and as they begin improvements, they will work with the planner to make it work for the business and for the project. Other than that, they have read the conditions of approval, they are in agreement with the conditions, and his client was present to answer any questions.

Hearing no other comments and no one else being present, Chairman Flores closed the public hearing.

Commissioner Vodvarka wondered if the applicant realizes there already is a restaurant in the city with the Paradise name on it. Mr. Chung replied his client realizes that and they will be changing the name to something different. Commissioner Vodvarka commented he loved the idea of the restaurant and the use of the building because the building has been empty too long and wished them luck.

Commissioner Johnson stated as a matter of record she wanted to announce that she spoke with Commissioner Sahagun who wanted it on the record that he was in support of the project and thought it was an excellent use of the building and she concurred with him.

Commissioner Lenhert stated he thought it would be a big improvement because that area has needed an uplift in quite a long time and he thought this would be a big help to that and the other businesses.

Commissioner Lenhert 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 exempts projects involving limited site changes not involving grading. As such, a DeMinimis finding of no impact on fish and wildlife will be prepared, seconded by Chairman Flores, there being no opposition to the motion, the motion passed 4-0.

Commissioner Vodvarka moved to approve Precise Plan of Design Case No. 2010-18 for exterior building and interior tenant improvements related to the establishment of a new restaurant business per the submitted plans, as described in the staff report, and subject to the conditions of approval in attached Resolution No. 10-1733, seconded by Commissioner Johnson, there being no opposition to the motion, the motion passed 4-0.

6.b PUBLIC HEARING - CASE NUMBER 2010-21

Project Address:	4974 Arrow Highway
Project Applicant:	Arrow Highway Investments LLC
Project Planner:	Michael Diaz, City Planner
Request:	Tentative Tract Map and Precise Plan of Design

City Planner Diaz reviewed the staff report. He described the illustrations and site plan drawings on display in the Council Chamber during the meeting. Proposed revisions to Conditions 18, 19, and 20 were provided to the Commission prior to the meeting. He also stated that staff has been working with

the applicant for a workable strategy for implementing a direct pedestrian link from this site to the platforms that serve the trains. There are some issues to continue to work through as mentioned in the staff report, such as a major grade differential and not yet having any specific plans for the Metro Gold Line extension and/or Metrolink improvements that we can use. Staff has included a condition of approval requiring the applicant to identify a point somewhere along the north property line for a direct pedestrian link and if it turns out to be feasible, then staff and the applicant could work further with the Rail Authority to implement. The only item with regard to the design and architecture of the project was the use of the asphalt composition shingles on the multifamily buildings. The architect, applicant, and staff can all attest that this issue has been debated back and forth, but staff still believes in the long run that the use of concrete tile for the entire project is the more appropriate way to go, so there is a condition reflecting this requirement as well. Director Lustro summarized the recommended revisions as follows: In Condition No. 18 where it says "…provisions for on-site security consistent with Condition No. 13.j", staff added "and 14.j" because there was a Condition No. 14 added. In Condition No. 19, second line from the bottom, it makes reference to Condition No. 17; that has been changed to "Condition No. 18" because of re-numbering. In Condition No. 20, there is presently a Condition 20.a and 20.b. Staff is recommending adding 20.c, d and e. Conditions 20.c and 20.d were referenced to in the agenda report with respect to developing a wall and fence plan for the entire project site to ensure consistency throughout the project and with regard to setting forth architectural criteria for the Urban Side Yard homes to ensure that design consistency is maintained in the future should homeowners decide to add improvements to their individual lots. This condition was developed in response to what staff has seen occur at Bellafina. Bellafina is similar in that there are individual detached, single-family side yard homes like what is being proposed here. What staff has seen happen during the short lifespan of the project is that there have been improvements made by homeowners that are often attractive if viewed alone, but inconsistent with one another. Staff does not want to see that happen here, so we would like the developer to set up some architectural criteria. Staff is not specifying anything in particular but just some guidelines for future owners to abide by so the community remains attractive and there is some consistency throughout the community. Condition No. 20.e addresses the issue that City Planner Diaz discussed regarding concrete tile roofs versus asphalt composition shingle roofs on the Urban Courtyard portion of the project.

City Planner Diaz stated with respect to the architecture, staff finds it to be very well done and that the project will be visually attractive and a welcome addition to the community. Staff believes it furthers the design goals and aspirations of the Specific Plan. The design theme for the multifamily and single-family portions of the project is complementary, well done and all of the respective exterior materials and details of the project are also appropriate for the particular style. Staff is recommending the Commission forward its recommendation of approval to the City Council for consideration and final action on the project. He

mentioned that staff was available to answer any questions or comments as was the applicant.

Chairman Flores asked whether the Commission was going to be the "watchdog" with regard to train access from this project site and questioned how the Commission was going to keep track of it to make sure it is included. City Planner Diaz replied staff has a condition in the Resolution and intends to continue to work with the applicant as the project moves forward. Much depends on when development occurs on the adjacent property and whether Metrolink will be amenable to a direct pedestrian link to the platform.

Commissioner Johnson commented she is tickled about the designated parking but had two questions. She did not see any on-street parking or separate place for guest parking. City Planner Diaz replied there are both. Chairman Flores interjected that the question should wait until the public hearing portion of the meeting.

Chairman Flores opened the public hearing.

Savoy Bellavia, Hutton Development Company, 2520 N. Santiago Boulevard, Orange, the proposed developer of this property, stated they have been working diligently with staff and commended the Commission on a great staff. He stated they hit heads a couple times but he felt they walked away with a great project thanks to staff and their architect and felt this will be a real asset to the City. The project, as Mr. Diaz indicated, is 129 units and consistent with the North Montclair Downtown Specific Plan. They have gone through the conditions and they agree with all of them, with the exception of 20.e. They continue to feel that the architectural composition shingle is high quality with a long life expectancy and would be consistent with the architectural style. Their architect and civil engineer were present for specific questions he could not answer.

Commissioner Johnson asked about on-street parking. Mr. Bellavia stated that along the west side of the property there was a considerable amount of unassigned parking. There are also some parallel spaces that are located along the major east-west public street. In addition to that, there are a number of parking spaces along Arrow Highway that are designated and will fit within the half-street section. Commissioner Johnson said that her second question is about the windows on the detached homes and how they are lined up. The issue is when she looks at some properties, particularly the ones that are relatively close to one another, the windows line up directly so you can call out to your neighbor and ask them to hand you the newspaper because the windows face each other and the properties are so close. She was hoping within this project the windows are not directly across from each other. Mr. Bellavia responded that on the Urban Side Yard homes they made sure the plans that were opposing each other have been situated so that they do not have directly opposing windows. Even though the side yards are somewhat narrow, they do not have direct opposing windows on any of the units.

Commissioner Vodvarka asked about the tunnel between this project and the Metrolink and if it's still a possibility. Director Lustro replied the tunnel from the south side of the Metrolink right-of-way to the north side exists and it has been in operation for a couple years. What it provides at the present time is access back and forth between the north and south platforms. So if you have been dropped off or just drove your car there and parked and want to access an eastbound train, you would walk through the tunnel and come back up the ramp to the south platform where you'd be able to access the eastbound train. Likewise, if you are riding an eastbound train from Los Angeles or somewhere west of here, you would exit the train onto the south platform, walk along the platform to the ramp, down the ramp to the tunnel, and then back up on the other side to get to your car or the bus. The location of the tunnel does not align with this property. It is farther to the east. It aligns with the property that is immediately to the east of this one and that is one of the challenges that City Planner Diaz was speaking of earlier. The grading that needs to be done on this property to meet ADA standards for accessibility will create a fairly significant change in grade from this property to the south platform. It is more pronounced at the west side of the property than it is at the east side but the grade change at the east side of the property is still very significant. If there were to be access provided to this property directly to the south platform, it would have to be constructed in a way that would involve ADA accessible ramps and because of the grade change, would involve a couple of switchbacks to reach the platform. The switchbacks would have to be built partially or almost entirely on the property of the Southern California Regional Rail Authority (SCRRA), which operates Metrolink. Staff has included a condition that requires the applicant to identify a location along their north property line where an access point to such a pedestrian walkway could be provided. We cannot require them to build the ramp or the switchback on property that does not belong to them, but the condition requires the applicant to continue to work with City staff and the SCRRA to determine whether they (SCRRA) would permit a pedestrian access directly to the south platform. Ultimately, that is what staff is hoping for. Absent that, if the Rail Authority says "no way, no how," then the fall-back position that pedestrian access will be provided to the east, to the property that aligns with the tunnel. When that property is developed in the future, a pedestrian connection can be easily made to the tunnel. That's what we're looking at right now. We would prefer to have direct access from this property to the platform because then it becomes more of a true transit-oriented development (TOD). The residents have direct access to and from the train. That is staff's preferred position, but we also recognize that we are going to be dependent upon another agency to gain permission to have that access built. There would very likely be City or Redevelopment Agency participation involved in the construction of that access as part of the Community Facilities District that staff is establishing in North Montclair.

Commissioner Vodvarka asked about the security of pedestrians. When a train comes in at night, it is dark, walking to their car is a concern. Director Lustro asked the Commission to remember that the present condition around the

Transcenter is that there is access and improvements to the north side of the tracks within the Transcenter parking lots and platforms, etc. As the other parcels around the Transcenter develop, staff, along with the developers as they come forward, are going to train a keen eye toward lighting and safety of walkways and accessways, because that is clearly a very important issue. Developers and staff will want projects to be safe for residents. If they are not, it will not be a popular place to live and it's going to be a problem for them as well. As a more critical mass of residents is developed, there will be more eyes on the street because there is little activity there right now. That said, staff is very cognizant of safety and lighting and the way it is designed and will certainly take that very seriously as they review projects.

Commissioner Lenhert had questions regarding the parking shown on the color site plan on display. On the west side of the development, he asked whether the parking shaded in yellow would be assigned and whether the other ones were visitor spaces. Mr. Bellavia replied the open parking would be the unassigned parking. There are three garage buildings with four spaces in each one. Those will be assigned to specific units. The one-bedrooms within the Urban Courtyard portion of the project have only one attached garage space, the two-bedrooms have two attached spaces, and so a number of those garages will be utilized by the one-bedrooms and assigned. The open spaces will be unassigned. Commissioner Lenhert asked about the uncolored spaces and clarified that they were not garages, just open spaces. Mr. Bellavia confirmed.

Chairman Flores commented that it was a very nice set of plans. He asked why on Sheet 1 it referenced the Ontario-Montclair School District on D Street in Ontario. Where would children from this development attend school? Director Lustro clarified that the legend on the plans simply identifies the service providers. The main office and addresses for both school districts are listed. Chairman Flores said that on Sheet 2, some of the lot lines for the single-family homes extend to the center of a private street. He asked if there was a reason for that. He saw no reason unless it was done to get a minimum amount of square feet per lot. Mr. Bellavia stated it was not the square footage per lot, it was based on the required setback necessary. Under the new California Building Code, there has to be a minimum five-foot setback. If they drew the lot line to the edge of the private street, there would have been only a three-foot setback. So, instead of taking it out only 2 feet, they took it out to the center line, but there is an easement across each of those identifying that as part of the private street. So it complies with the new California Building Code and will comply with the access for the subdivision.

Chairman Flores asked about the private streets on the site plan. He did not see any curb and gutter and his concern, those being private streets, wondered whether there was going to be an owners association because the City street sweeper will not be coming through there. Mr. Bellavia stated that the only public streets would be the main north-south street coming off Arrow Highway and the main east-west street just below the Community Center. The rest will be private

streets with a homeowners association to maintain them. The streets have all been designed with curb and gutter even though it may not appear on the drawings.

Chairman Flores asked if the Fire Department had any problem with emergency access. City Planner Diaz responded that they reviewed the plans and have not indicated any concerns or objections to the turning radii proposed.

Chairman Flores commented that on Sheet 3, the cut volume and fill volume are blank. Mr. Bellavia stated that because the grades were changing based on the ADA requirements as Mr. Lustro indicated, they have not arrived at a final number, but that will be determined and on the plans prior to a grading permit being issued, but it is around 40,000 cubic yards of cut. Mr. Flores commented that was very critical information for him.

Chairman Flores also asked if residents on both sides of the development will be able to use the Community Center. Mr. Bellavia replied that at this point it will probably just be used by residents living in the Urban Courtyard homes.

David Buxbaum, 414 Yale Avenue, Claremont, an attorney representing the Michael family (property owner), thanked the Commission and staff for a terrific job. The family has owned the property for 70 years and had worked with a number of developers and entered into sale agreements numerous times. They were very pleased with the Hutton Company and pleased with the interaction of the City and really hoping and praying that they can actually have a plan approved and this project come in. The Michael family would be very proud to have a project like this. They thought it was very attractive. He felt Mr. Diaz and Mr. Lustro have been terrific, answered calls promptly, very communicative, and they could not be more pleased and very grateful and he was present to thank staff. He stated he was available for any questions of the landowner.

Commissioner Vodvarka asked how the Michael family was connected to the Hanawalt family. Mr. Buxbaum replied that Larry Michael's dad worked for the Hanawalts originally and he was the original landowner. Commissioner Vodvarka commented he purchased a lot of sand and gravel there back in the 1950s.

Hearing no other comments and no one else being present, Chairman Flores closed the public hearing.

Commissioner Johnson commented she spoke with Commissioner Sahagun earlier in the day and he wanted it in the record that he was very supportive of this project because of its design and some expansion of our local businesses, nearby colleges and thought it was a good fit.

Commissioner Lenhert commented he felt it was an excellent design. It's well-designed, in a good location, and he is familiar with what this company has

built in Upland and believes it is a real workable thing. The one thing that bothered him was the parking situation. He wanted to state he would like the parking requirements looked into.

Commissioner Lenhert moved that, based upon evidence submitted, the Planning Commission finds the application for the proposed 129-unit Arrow Station residential development to be substantially consistent with the anticipated impacts evaluated in the previously certified EIR for the North Montclair Downtown Specific Plan and its anticipated improvements. The Commission further finds that the project will not have one or more significant effects not discussed in the previously certified EIR, not have more severe effects than previously analyzed, and that additional or different mitigation measures are not required to reduce the impacts of the project to a level of less than significant. Further, the Commission directs staff to prepare a DeMinimis finding of no impact on fish and wildlife, seconded by Commissioner Johnson, there being no opposition, the motion passed 4-0.

Commissioner Vodvarka recommended the City Council approve Tentative Tract Map No. 18803, subdividing a 6.94-acre site at 4974 Arrow Highway into three (3) numbered lots for condominium purposes and a community center, 30 additional numbered lots (ranging in size from .047 to .073 acre) for single-family development, and three (3) lettered lots (A-C) for public and private streets within the development, finding that the map is consistent with the Montclair Municipal Code and the State Subdivision Map Act, seconded by Commissioner Lenhert, there being no opposition, the motion passed 4-0.

Commissioner Johnson recommended the City Council approve a Precise Plan of Design request under Case No. 2010-21 for the site plan, floor plans, elevations, colors, materials, and conceptual landscape plan associated with the proposed 129-unit Arrow Station residential development at 4974 Arrow Highway, and associated on- and off-site improvements per the submitted plans and as described in the staff report, subject to the conditions in Planning Commission Resolution No. 10-1734, as amended, seconded by Chairman Flores, there being no opposition to the motion, the motion passed 4-0.

INFORMATION ITEMS

Director Lustro advised the Commission that the agenda item just completed would be considered by the City Council at its December 6, 2010 meeting.

Commissioner Lenhert wished everyone a happy Thanksgiving.

Chairman Flores inquired about the work going on at Central Avenue and Mission Boulevard. He has seen activity on Saturdays and late at night. Are they undergrounding utilities? Director Lustro replied that much of the work taking place through the Central-Mission intersection involves undergrounding of utilities. Not only are the utilities on the south side of Mission and west side of

Central south of Mission being undergrounded, the overhead utilities through the intersection are being undergrounded as well, just like what was done at Monte Vista Avenue. Staff's understanding is that all of the conduit is in through the intersection and now it's up to the utilities to pull line through that conduit. City Engineer Mike Hudson added that the contractor has all the concrete poured for the decorative crosswalks through the intersection. He plans on base paving it Tuesday or Wednesday, depending upon when he gets the compaction on the base material on Tuesday. It is the intent to remove all the K-rail by Wednesday afternoon and have the intersection fully open, although there will still be paving that has to be done.

Director Lustro stated staff made contact again with the management and maintenance department at Montclair Plaza regarding the dilapidated fence south of Olive Garden. They agree it is an eyesore and needs to come down. Although they are busy preparing for the holiday shopping season, they made a commitment to do their best to get the fence removed within the next few weeks. Chairman Flores thought it was a rental fence and they could just call a guy to come and take it.

Chairman Flores wished everyone a happy Thanksgiving.

Chairman Flores adjourned the meeting at 8:07 p.m.

Respectfully submitted,

Laura Berke
Recording Secretary