



CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES

REGULAR ADJOURNED MEETING
Monday, August 12, 2013

COUNCIL CHAMBER
5111 Benito Street, Montclair, California 91763

CALL TO ORDER

Chair Johnson 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: Chair Johnson, Vice Chair Flores, Commissioners Martinez, Sahagun and Vodvarka, Community Development Director Lustro, City Planner Diaz, Associate Planner Gutiérrez and Deputy City Attorney Holdaway

MINUTES

The minutes of the July 22, 2013 regular meeting were presented for approval. Vice Chair Flores moved, Commissioner Sahagun seconded, and the minutes were approved 4-0, Chair Johnson abstaining because she was not present at the July 22 meeting.

ORAL AND WRITTEN COMMUNICATIONS

None.

AGENDA ITEMS

- a. PUBLIC HEARING - CASE NUMBER 2013-19
Project Address: 5205 San Bernardino Street
Project Applicant: Montclair Senior Apartments LLC
Project Planner: Michael Diaz, City Planner
Request: Variance to allow a portion of a proposed metal perimeter fence at the front property line of the subject site
CEQA Assessment: Categorically Exempt (Section 15303)

City Planner Diaz reviewed the staff report.

Commissioner Vodvarka asked if the residents would have a key or remote control for the gate. City Planner Diaz deferred to the applicant to answer during the public hearing.

Chair Johnson opened the public hearing.

Lisa Steele, the property manager for Montclair Senior Community at Heritage Park, stated they anticipate distributing remote controls for access to the gate to the parking area. The residents of the Montclair Senior Community park on the inside with assigned parking. Each individual space is designated to an individual resident.

Hearing no other comments and no one else being present, Chair Johnson closed the public hearing.

Vice Chair Flores moved that, based upon evidence submitted, the Planning Commission finds the current application for the proposed variance qualifies as a Class 5 exemption under Section 15305 of the California Environmental Quality Act (CEQA) Guidelines, which exempts projects that involve minor alterations in land use limitations that do not create a new parcel, change a land use, nor increases the allowable density of the project. The setback variance requested is limited in scope and does not create new parcels, affect land use, or increase density, Commissioner Sahagun seconded, there being no opposition to the motion, the motion passed 5-0.

Commissioner Sahagun moved to recommend the Planning Commission approve a Variance request under Case No. 2013-19 to allow a 127-foot long portion of a proposed six-foot high perimeter fence to be installed at the front property line and a second portion of the fence to be set back 22'-6" rather than at the required 25-foot front yard setback line, for the senior apartment complex located at 5205 San Bernardino Street, as described in the staff report and depicted in approved plans subject to the

findings and conditions in Planning Commission Resolution No. 13-1784, Commissioner Vodvarka seconded, there being no opposition to the motion, the motion passed 5-0.

- b. PUBLIC HEARING – CASE NUMBER 2013-17
 - Project Address: 9399 Autoplex Drive
 - Project Applicant: Montclair Dealership Group Properties LLC
 - Project Planner: Michael Diaz, City Planner
 - Request: Conditional Use Permit Amendment and Precise Plan of Design for a 23,129 square-foot addition to an existing auto dealership
 - CEQA Assessment: Mitigated Negative Declaration

City Planner Diaz reviewed the staff report.

Chair Johnson asked about employee parking and whether the employees were using the Freedom Park parking lot. City Planner Diaz commented he thought Freedom Park was being used by commuters.

Commissioner Sahagun asked how long the construction would take. City Planner Diaz replied about 12 months. Commissioner Sahagun felt the applicant would be losing parking spaces with such a large addition. City Planner Diaz stated the expanded showroom would provide more display area inside the building, and the "jewel box" display on the north side of the building would give them ability to showcase additional cars.

Chair Johnson opened the public hearing.

Howard Hawkins, CFO of Metro Auto Group, commented they are quite excited about the project. They started the project years ago, but the recession caused the project to be delayed and they are glad that happened because Honda improved its prototypical design. Director Lustro will recall how they disliked the former prototype. The new design will bring them into the 21st Century and they are very excited about it. They have had several problems with the facility because its design is a little convoluted. The new design is intuitive with respect to where to enter the Service Department or where to find customer parking. Employee parking will also be very intuitive and they will have plenty of spaces. With respect to the earlier comment about losing a few parking spaces, they feel there will be adequate parking for inventory, customers and employees. The layout of the facility will be much improved over what they currently have. He and his brother are excited about the dealership's presence on the freeway.

Commissioner Sahagun asked if the dealership plans to have a car rental operation. Mr. Hawkins stated they have loaner cars and are not planning to have an internal rental operation. Commissioner Sahagun thanked the applicant for being in the City and being so supportive of the youth. Mr. Hawkins stated they enjoy being here and was very grateful for all the cooperation they received from the City.

Commissioner Sahagun if staff received any responses from the public. City Planner Diaz stated that 85 notices were mailed and no responses were received.

Chair Johnson asked if the applicant could assure the community and her family that the construction would not impact the car wash. Mr. Hawkins stated that they will erect a couple of trailers near the car wash, but about half of the vacuums will remain operational. The car wash itself will remain open because they need it for the dealership and for the public.

Hearing no other comments and no one else being present, Chair Johnson closed the public hearing.

Vice Chair Flores moved to take the following actions as responsible agency, seconded by Commissioner Vodvarka, there being no opposition to the motion, the motion passed 5-0.

1. Certify that the Commission has reviewed and considered the environmental assessment based upon the findings and proposed mitigation measures in the Initial Study prepared for the project, and that there will be no significant impact on the environment as a result of the proposed expansion and exterior remodel of the existing Metro Honda auto dealership and associated site improvements; and
2. Adopt the proposed Mitigated Negative Declaration and finding that there will be a DeMinimis impact on fish and wildlife; and
3. Direct staff to file a Notice of Determination (NOD) and the applicant to pay appropriate fees within five (5) days of this action.

Commissioner Sahagun moved to approve the Precise Plan of Design request for the site plan, elevations, colors and materials associated with the proposed expansion and exterior remodel of the existing Metro Honda auto dealership at 9399 Autoplex Drive per the submitted plans and as described in the staff report, subject to conditions of approval contained in Planning Commission Resolution No. 13-1787, seconded by Chair Johnson, there being no opposition to the motion, the motion passed 5-0.

- c. PUBLIC HEARING – CASE NUMBER 2013-5
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| Project Address: | Citywide |
| Project Applicant: | City of Montclair |
| Project Planner: | Steve Lustro, AICP, Community Development Director |
| Request: | General Plan and Zoning Code Amendments |
| CEQA Assessment: | Negative Declaration |

Director Lustro reviewed the staff report in detail and explained to the Commission the need to adopt the Policy Action implementation measures outlined in the Housing Element in order to be in compliance with state law. He further explained that the Zoning Code needs to be consistent with the General Plan; thus, revisions to three chapters in the Montclair Municipal Code are also part of staff's recommendation.

Vice Chair Flores asked if other cities have a fifth residential type like the one being proposed. Director Lustro replied that many cities, particularly with a focus on being able to provide affordable housing and have the Housing Element comply with state law, that did not previously have a provision for higher density housing have adopted or amended their General Plan Land Use Element to provide for it. The minimum default density the state considers adequate to provide affordable housing is 30 units per acre. What staff is proposing in the General Plan amendment is to allow market rate housing to be built at a maximum of 25 units per acre. If a developer wants to provide up to 50% or more of affordable units in a development, we would allow 30 units per acre for an affordable housing project. Unfortunately, as we have discussed at Commission meetings in the recent past, cities are required to provide for higher density housing at the same time the state abolished redevelopment, which was our main tool in helping to provide affordable housing. Vice Chair Flores thought it was a good idea, especially so that we don't fall behind. Director Lustro stated that he knows the density issue will come up at City Council. As the staff report states, the current maximum density allowed by Code in Montclair is 14 units per acre, which is not very dense at all. The proposal is to increase that by about 80%, so it's a fairly substantial increase, but as the report points out, the 25 units per acre maximum is not automatic. If someone comes in and wants to develop a piece of land, they don't automatically get 25 units per acre; they need to meet all of the other development standards that have been set forth, whether it be parking, landscaping, common open space, etc. There are many pieces to the puzzle when building multi-family development. A savvy developer with a skilled architect may find a way to build a quality project that achieves that 25 units per acre and still meets all of the development standards. For comparison, The Paseos, which is currently under construction, is about 25 units per acre.

Commissioner Vodvarka asked how much land is available in Montclair to do major projects. Director Lustro replied not much. This is a discussion he has had with one or two Council members. The majority of the land available to develop multifamily housing is in North Montclair within the Specific Plan area. When you look at the remainder of the City, there are not many opportunities left. That is not to say that at some point in time, there may be properties that get re-zoned to accommodate multifamily housing. While nothing is imminent, staff has looked at areas along Holt Boulevard that are marginal, at best, under the current economy for commercial development and some of those properties may be appropriate in the future to consider for re-zoning for higher density housing. Nobody is proposing that yet and before we were ever to do that, the City Council would probably want to look at an economic impact analysis along with a land use impact analysis if we were to make such a change.

Chair Johnson asked, considering all of the affordable housing that has been constructed on the west side of the City, do we need to still meet the requirements,

even with all that new housing? Director Lustro responded yes. Again, there is an imperfect process and formula for determining our regional housing needs assessment (RHNA) numbers. Montclair, along with most other cities in this region, are still short when it comes to providing very-low, low- and moderate-income housing, based on their analysis and their numbers. Having said that, Montclair has done an exemplary job, compared to surrounding cities, to provide affordable housing. As Commissioner Vodvarka indicated earlier, there is not a whole lot of opportunity left in the City for development of additional affordable housing. We know that, the Commission knows that, the City Council knows that, but SCAG looks at us as a small fish in a large pond and are not as familiar with our community so they go through their process and calculations and come up with these numbers. The number that they came up with in our last Housing Element update was about 1,800 units. That includes very-low through moderate income housing. Some of the moderate income housing will be satisfied through development in North Montclair and we have largely satisfied our very-low and low-income housing requirements through development in the west end of the City. For the 2014-2021 Housing Element update, we still have a number of about 700 additional units needed. Staff's reaction is very much the same as the Commission's and that is, "Where are we going to put these houses?" What needs to be remembered is the only thing the state looks at is that we provide an opportunity for developers to build these units; it is not our responsibility that they actually get built. If our Housing Element update consultant were here right now, he would tell you the same thing. The City has to provide the vehicle to make provisions for these units and a large part of what we're doing through the General Plan Land Use Element update is increasing density so that we are providing the ability for developers to do that. Whether or not they actually take advantage of that is out of our control.

Commissioner Sahagun asked if staff looked at other cities when preparing this. Director Lustro stated that the short answer is no. While staff is aware that other cities have higher maximum densities than we do, what staff tried to do is model the requirements and ordinance to fit Montclair. We know we are not Pasadena or Los Angeles, where you would likely find zoning that would allow 75 or 100 units per acre. That's not realistic here. We are still a suburban community and the feeling was if we could get the density slightly higher than what it is, and enough to satisfy the state, that's where we wanted to go. Commissioner Sahagun asked if we would have a maximum height, capping it at four stories. Director Lustro replied that four stories is the maximum and that is addressed in the ordinance. There are certain criteria that need to be met to allow four stories. If a property is in relatively close proximity to a single-family neighborhood, then three stories would be the maximum.

Chair Johnson opened the public hearing.

Hearing no other comments and no one else being present, Chair Johnson closed the public hearing.

Commissioner Sahagun moved to take the following actions as responsible agency, Vice Chair Flores seconded, there being no opposition to the motion, the motion passed 5-0.

1. Certify that the Commission has reviewed and considered the environmental assessment based upon the findings in the Initial Study prepared for the project, and that there will be no significant impact on the environment as a result of the proposed amendments to the General Plan Land Use Element and Montclair Municipal Code; and
2. Adopt the proposed Negative Declaration and a finding that there will be a DeMinimis impact on fish and wildlife; and
3. Direct staff to file a Notice of Determination (NOD) and pay appropriate fees within five (5) days of this action.

Commissioner Vodvarka moved to make the following recommendations to the City Council, Commissioner Sahagun seconded, there being no opposition to the motion, the motion passed 5-0.

1. Recommend approval of the proposed amendment to the General Plan Land Use Element, adding a fifth residential category: "Residential—High Density (15-30 units per acre);" and
2. Recommend approval of the proposed amendments to Chapters 11.22, 11.78 and 11.90 of the Montclair Municipal Code related to development standards in the "R-3 – Residential Medium-High Density" zones.

Director Lustro added that this item is scheduled to be considered by the City Council on August 19, 2013.

- d. CASE NUMBER 2013-16
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| Project Address: | 10374 Marion Avenue |
| Project Applicant: | Susan Fung |
| Project Planner: | Silvia Gutiérrez, Associate Planner |
| Request: | Precise Plan of Design for a duplex |
| CEQA Assessment: | Categorically Exempt (Section 15303) |

Associate Planner Gutiérrez reviewed the staff report. She added that in September 2005, a similar project was approved by the Commission but due to economic difficulties, the project was shelved and never constructed. Within the last six months, staff has examined this particular project closely with respect to how it would fit in the existing neighborhood, understanding that the surrounding properties to the north, south, east and west are developed with single-story, multi-unit residences. Staff evaluated window placement, massing of the building, site development and the articulation of the design components, as well as realizing that the project needed to integrate well into the neighborhood. Conditions 6.a, b and d were crafted to address the proposed color and window characteristics. Staff believes this project sets a good precedent for renovation of other residential units in the area. No public notice was

required in conjunction with this application, but staff mailed a courtesy notice to adjacent property owners.

Vice Chair Flores commented that it was nice to see a small project like this come forward with nice plans.

Commissioner Sahagun commented that in looking at the project site, he noticed the drive approach looked very narrow and asked if the applicant was going to reconstruct it. He also commented on the thoroughness of the blueprints and the color scheme. City Planner Diaz replied that the drive approach would be reconstructed to today's standards and the applicant has been very responsive in working through staff's comments over the last several months.

Vice Chair Flores 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 to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15332 of the State CEQA Guidelines, Commissioner Vodvarka seconded, there being no opposition to the motion, the motion passed 5-0; and

Commissioner Vodvarka moved to approve a Precise Plan of Design for the site plan, floor plans, building elevations, landscaping and associated on- and off-site improvements for a two-story duplex at 10374 Marion Avenue, as described in the staff report, and per the submitted plans, subject to the conditions of approval in attached Resolution 13-1786, Vice Chair Flores seconded the motion, there being no opposition to the motion, the motion passed 5-0.

INFORMATION ITEMS

Commissioner Sahagun expressed a concern about the double left turn lanes for eastbound I-10 from Palo Verde Street. He said that he has almost been hit several times by motorists in the inside left turn lane drifting into the path of the outside left turn lane. He suggested either raised dots or (skip-dash) guide lines through the intersection might cause drivers to be more aware that there are two lanes turning. Director Lustro stated that since it is a Caltrans-controlled intersection, he would check with Public Works to see whether that is something we would need to request of Caltrans or if it is something we can do.

Vice Chair Flores commented that construction is starting on the third floor of some of the buildings at The Paseos. He also noticed that grading for the dialysis center on Monte Vista Avenue has started. Director Lustro commented as a follow-up on The Paseos, the architect has indicated that they hope to have the leasing office/clubhouse open by the first week in October, and the public park and first residential building are expected to be completed by the first part of December.

Commissioner Vodvarka asked if staff has any information on what's going on with the former Paradise Café on Central Avenue. Director Lustro replied that it closed a number of weeks ago and the owner is undertaking some renovations of the exterior, but we are not aware of a new tenant.

Commissioner Martinez complimented and thanked staff because he was expecting a really long meeting because of the four items on the agenda, but staff provided enough information to address potential questions by the Commission. He also complimented and thanked his fellow Commissioners for getting right to it.

Chair Johnson adjourned the meeting at 8:12 p.m.

Respectfully submitted,

Laura Berke
Recording Secretary