



CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES
REGULAR ADJOURNED MEETING
June 22, 2015

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

Vice Chair Flores led those present in the salute to the flag.

ROLL CALL

Present: Chair Johnson, Vice Chair Flores, Commissioners Martinez (arrived at 7:04 p.m.) and Sahagun, Community Development Director Lustro, City Planner Diaz, Associate Planner Gutiérrez, and Deputy City Attorney Holdaway

Excused: Commissioner Vodvarka

MINUTES

The minutes of the May 26, 2015 regular meeting were presented for approval. Commissioner Sahagun moved, Chair Johnson seconded, and the minutes were approved 2-0-1, Vice Chair Flores abstaining (Commissioner Martinez arrived after the motion was approved).

ORAL AND WRITTEN COMMUNICATIONS

None.

AGENDA ITEMS

- a. PUBLIC HEARING - CASE NUMBER 2015-8
 - Project Address: 5303 Orchard Street
 - Project Applicant: Diocese of San Bernardino
 - Project Planner: Silvia Gutiérrez, Associate Planner
 - Request: Variance to allow a six-foot high perimeter fence and gates within the front yard setback
 - CEQA Assessment: Categorically Exempt (Section 15305)

Associate Planner Gutiérrez reviewed the staff report.

Chair Johnson opened the public hearing.

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

Vice Chair Flores felt the fence would improve the site, looks very nice and they really do need it.

Commissioner Sahagun asked what the distance is between the property line and the building. Associate Planner Gutiérrez replied it is 20 feet. Commissioner Sahagun commented that we do want to keep our children safe, whether it's a public or private school and it is very important to have the fence in place.

Commissioner Martinez thanked staff for an excellent and thorough staff report. The fence is attractive, the neighbors are pleased because it's a mixed commercial-residential use over there so he was sure they were pleased how well it's going to improve the area and how nice it looks and, of course, a nice complement to the school and for the community.

Commissioner Sahagun asked if the gates would be locked while school is in session. City Planner Diaz stated the gates would be closed so that visitors will be required to check-in at the principal's office if they want to be on campus. Commissioner Sahagun stated he was glad to hear that.

Commissioner Martinez 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, seconded by Commissioner Sahagun, there being no opposition to the motion, the motion passed 4-0.

Vice Chair Flores moved for approval of the Variance request under Case No. 2015-8 to allow a six-foot high tubular steel fence, approximately 350 feet in length, along the north property line at 5303 Orchard Street to secure the north side of Our Lady of Lourdes School, as described in the staff report and depicted in the approved plans subject to the findings and 18 conditions in Planning Commission Resolution No. 15-1834, seconded by Chair Johnson; there being no opposition to the motion, the motion passed 4-0.

- b. PUBLIC HEARING - CASE NUMBER 2009-22 'A'
 - Project Address: 4650 Arrow Highway, Units D-5 and D-6
 - Project Applicant: Holualoa Montclair Business Center, LLC
 - Project Planner: Silvia Gutiérrez, Associate Planner
 - Request: Conditional Use Permit amendment to allow the addition of a sports massage use
 - CEQA Assessment: Categorically Exempt (Section 15301)

Associate Planner Gutiérrez reviewed the staff report.

Commissioner Martinez asked about the existing martial arts studio, stating that children comprise a good majority of the classes and what are the regulations or intentions with regard to children.

Chair Johnson opened the public hearing.

Joe Gonzales, 12112 Maidstone Avenue, Norwalk, representing the applicant, introduced himself. Commissioner Martinez stated that the proposed business seemed like a good complement for the sports-minded who need treatment, but other massage establishments in the city have created problems so his concern was about minors being around and wanted to know if minors would be prospective patients or would minors be segregated from that portion of the business. Mr. Gonzales replied that the existing business is family-oriented so there are families that train and exercise together and a lot of parent spectators; so, if any young members of that facility would like to solicit his services, he would be more than open to have the parents sit in as well. He currently works at a sports chiropractic facility, which is a family wellness center in Orange County. A lot of the student athletes are on summer vacation so they get a lot of work done by him. His door is always open to have parents sit in on sessions or walk in any time and observe. Commissioner Martinez asked about the facility layout and stated that he realized it will be a business within a bigger business. Again, some of the other establishments have an enclosed cocoon and you have to practically have a subpoena to get in there unless you are a client. How about this business; was it going to be more wide open and more accessible and would the participants in the exercise room be able to see? Mr. Gonzales stated they would use more of a room divider, it would not muffle any sound but it would

ensure the patient's privacy where no one could peek in for the comfort of the person receiving services.

Chair Johnson asked who he anticipated his primary customers would be. Mr. Gonzales responded that his primary customers would be from the Check Mat location. There are quite a few of them that currently travel from the Inland Empire to the Costa Mesa area where he practices in his office. To make things a little easier on their commute time, he decided to extend his services out this way.

Commissioner Martinez asked if the new massage business hours were going to be identical to the martial arts studio hours. Mr. Gonzales stated that the hours described in the business description were an estimate. They are still trying to fine tune when their peak hours are and they would try to stay within the hours of operation and probably more geared toward their peak hours when they have more clients. Earlier in the day they would probably go by appointment only so if someone needed an extended session, then they would have more of an exclusive time slot. Commissioner Martinez clarified that if the martial arts studio closed at 9:00 p.m., would that be when his business would close? Mr. Gonzales confirmed that would be the case.

Chair Johnson commented that this concept reminded her of when her kids were athletes and their coach would take them somewhere else and stretch them out, but you could still see them.

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

Commissioner Sahagun 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 Chair Johnson, there being no opposition to the motion, the motion passed 4-0.

Vice Chair Flores moved to approve the Conditional Use Permit Amendment under Case No. 2009-22 'A', subject to making the required findings and subject to the 18 conditions as described in attached Resolution Number 15-1835, amending Condition No. 9, seconded by Commissioner Sahagun, there being no opposition to the motion, the motion passed 4-0.

INFORMATION ITEMS

Director Lustro reminded the Commission that the City's annual summer concerts in the park start Tuesday, June 30 and that City Hall will be closed on Thursday, July 2, in observance of Independence Day.

Commissioner Sahagun reported the 10 Freeway is finally getting pavement work done between Monte Vista and Mountain Avenue at night time. Whoever they hired has not done a really good job, but it is better than it was.

Vice Chair Flores commented that the dental office next to Gold's Gym has been empty for about one year and looks awful. The project across from Costco has more activity going on again. Also, the project at Monte Vista and Howard started grading and it looks good.

Vice Chair Flores announced that his grandson just graduated from MIT with a degree in Bio-Engineering and is visiting him for a couple days. The Commission and staff gave their hearty congratulations.

Commissioner Martinez stated that he and Council Member Martinez congratulate Chair Johnson on her re-appointment to the Planning Commission and commented on what a great job she has been doing.

Chair Johnson stated she is very humbled by her re-appointment and commented that she is very happy to be here.

Chair Johnson adjourned the meeting at 7:32 p.m.

Respectfully submitted,

Laura Embree
Recording Secretary