



CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES
REGULAR ADJOURNED MEETING
July 27, 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

Chair Johnson led those present in the salute to the flag.

ROLL CALL

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

Excused: Commissioner Sahagun

MINUTES

The minutes of the July 13, 2015 regular meeting were presented for approval. Vice Chair Flores moved, Commissioner Martinez seconded, and the minutes were approved 4-0.

ORAL AND WRITTEN COMMUNICATIONS

Bruce Culp, 9016 Sycamore Avenue #110, Montclair, commented that a lot of good things are happening in Montclair these days, including a revitalized Montclair Plaza with movie

theaters, Tommy's Hamburgers, and he just saw the plans for the residential project on tonight's agenda and thought it was beautiful. He lives at the Paseos in North Montclair and there's an old EZ Lube at 8949 Monte Vista and he has read about it and talked to some of his neighbors and they had ideas about it, something like a park or family-owned restaurant, but as he read through the Montclair website, he saw that a 26-unit residential development is being contemplated for the site. There is some concern about that much density. They are not opposed to any type of development there; they are just a little startled by the number of units and the amount of parking. We're already running into parking issues at the Paseos. He wanted to say that he would like to learn a little more about that development as it moves along and let the Commission know that there are already discussions going on in their neighborhood about it. Chair Johnson referred Mr. Culp to staff for further information.

AGENDA ITEMS

- a. PUBLIC HEARING - CASE NUMBER 2015-6
 - Project Address: 5165 Mission Boulevard
 - Project Applicant: Montclair Holdings, LLC
 - Project Planner: Steve Lustro, AICP,
Community Development Director
 - Request: General Plan Land Use Map Amendment, Zoning
Map Amendment, Tentative Tract Map, and
Precise Plan of Design
 - CEQA Assessment: Mitigated Negative Declaration

Director Lustro reviewed the staff report.

Commissioner Martinez commented that the property owners being responsible for maintaining the exterior of their residences, including the roof, paint, etc. is creative because HOAs are traditionally responsible for those. Suppose there is a tenant who is responsible for the upkeep and they choose to put it off or it starts to get looking bad or even blighted, what's the enforcement tool to get them to do the maintenance. Is that part of the HOA agreement? Director Lustro stated that it would be covered in the CC&Rs to which each property owner is a party. It would be the HOA's responsibility to enforce the CC&Rs if someone is not maintaining their property. If the HOA doesn't do its job, the City has the ability to step in and effect compliance with the CC&Rs. Commissioner Martinez clarified that the distinction was that the financial responsibility falls on the homeowner as opposed to the HOA maintaining the property. Director Lustro stated that for the exterior of each residence that is correct. Commissioner Martinez commented what a beautiful project it would be, but he was just thinking about someone renting it out further down the road.

Chair Johnson opened the public hearing.

Patrick Diaz, Crestwood Communities, 510 W. Citrus Edge Street, Glendora, representing the applicant, was available for questions.

Commissioner Martinez asked the applicant to corroborate his first concern. Mr. Diaz stated that Mr. Lustro was correct in stating that the enforcement mechanism will be incorporated into the CC&Rs as part of exterior maintenance of the building for the owner/resident to maintain as needed. He understood that the CC&Rs will include monthly, if not weekly, visits by the management company to inspect the site with regard to landscaping, pool facility, restroom facility, etc. Commissioner Martinez commented that by putting it this way, where the responsibility falls on the homeowner, would it actually reduce or offset the regular HOA fees? Mr. Diaz stated that it would.

Vice Chair Flores commented that his concern was about surface water runoff because the map and legend lacked details; he just wanted to make sure the required information gets on the map and goes to the County.

Chair Johnson clarified there would be 31 units that all have garages and they also have identified outdoor parking space. For the 31 units there would be 11 guest parking spaces, so they could not all have a guest at the same time. It seems like not enough guest parking for 31 units. She deferred to staff to work it out with the applicant, but felt 11 spaces are not enough for 31 units. At least half of the units are going to have guests on the weekends, where are they going to park? Mr. Diaz stated he believed additional spaces would be available to visitors as overflow if the 11 spaces were filled. Director Lustro commented that the staff report covered it. The City's R-3 standards require units in multi-family developments with three or more bedrooms to provide three parking spaces per unit. This requirement was implemented to hopefully address the historical parking problems the City has had in older multi-family developments. Each unit will have two covered parking spaces in an attached garage; in addition, there will be an additional 31 parking spaces, one per unit, which will be distributed throughout the site and assigned to a particular unit. So for example, if you are living in Unit X and you have two cars in your household and are parking both of your cars in the garage, you would then have one additional space that would be assigned to your unit. If you had a guest visit, you could choose to have them park in that space or if there were available guest space(s) available, they could park in one of those spaces as well. It is not conceivable that each homeowner in the project would have three vehicles. If they have something less than three vehicles, they are going to have surplus parking spaces for their units. It might be one extra in the garage, plus the additional 11 parking spaces that are going to be designated for guests. The number of guest parking spaces that are proposed in the project complies with the City's requirement of one space for every three units or portion thereof. There are 31 units; if one guest space is provided for every three units or portion thereof, 11 are required, so they are providing the minimum required for guest parking.

Chair Johnson asked how much space between the units and do the windows of the units face each other. Mr. Diaz stated that on the second story, the windows do face each other. It's a zero lot line situation where there are no windows on the one side of the house on the first floor, which is usable space for the residence next door. The houses are 11 feet apart on average and more in some cases.

Commissioner Vodvarka asked if each unit would have a pad in front of each garage that enters from the driveway into the garage. Director Lustro stated there will not be a

traditional driveway that accommodates a vehicle. The garages will open up almost immediately onto the private driveway.

Bruce Culp, 9016 Sycamore Avenue #110, Montclair, commented that he noticed these are all two-story units with the living area being upstairs so it doesn't seem like it would accommodate people with physical disabilities. Chair Johnson stated that she believed all units have ground floor entries and that if a disabled person desired to purchase a two-story house, they could install a stair lift to access the second floor. Director Lustro confirmed that all the sleeping rooms are upstairs.

Faith Price, 5141 Mission Boulevard, Montclair, immediately west of the project site, has been there for almost 50 years and she did not know enough about the project to ask questions yet. She hoped she might learn a little more about the project and also see whether this would affect her property. She was assured by (Community Development Director Lustro) that this project would not change her zoning. Chair Johnson stated that was correct, the only change would be to the subject property. Commissioner Martinez commented that it would hopefully be a very positive enhancement to the immediate neighborhood. He is familiar with the area and the City has been working on improving that corridor and this seems to be an additional complement so, hopefully, she will have some good neighbors and it will certainly make the immediate area more beautiful. Mrs. Price thanked the City for the upgrades to Mission Boulevard and commented on how it has become so beautiful and how she wished her husband was still alive to see it.

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

Commissioner Martinez asked about the person who responded to the public notice. Director Lustro replied that besides the phone conversation he had with Mrs. Price, staff also received one inquiry last week from a neighboring resident in the condo complex to the south requesting a site plan to review. Staff sent information to her but did not receive any subsequent comments.

Vice Chair Flores moved, Chair Johnson seconded, for the environmental review, to take the following actions as responsible agency:

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 land use amendments and the subsequent construction of the proposed 31-unit residential condominium project; 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 pay appropriate fees within five (5) days of this action; there being no opposition to the motion, the motion passed 4-0.

Commissioner Vodvarka moved, Vice Chair Flores seconded, for the proposed land use amendments, make the following recommendations to the City Council:

1. Recommend approval of the proposed amendment to the General Plan land use designation of the subject property from "General Commercial" to "Medium Density Residential" (8-14 dwelling units per acre), per attached Planning Commission Resolution No. 15-1836; and
2. Recommend approval of the proposed amendment to the Official Zoning Map from "C-2" (Restricted Commercial) to "R-3" (Medium-High Density Residential), per attached Planning Commission Resolution No. 15-1838; there being no opposition to the motion, the motion passed 4-0.

Commissioner Martinez moved, Commissioner Vodvarka seconded, for the project, take the following actions:

1. Recommend City Council approval of Tentative Tract Map No. 19970, subdividing the subject property for a 31-unit residential condominium project along with associated common areas for driveways, parking areas, landscaped areas, walkways, and recreation facilities, finding that the map is consistent with the Montclair Municipal Code and the State Subdivision Map Act.
2. Approve the Precise Plan of Design for the site plan, elevations, conceptual colors and materials, and conceptual landscape plan associated with the proposed 31-unit residential condominium development 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. 15-1840; there being no opposition to the motion, the motion passed 4-0.

INFORMATION ITEMS

None.

Chair Johnson adjourned the meeting at 7:41 p.m.

Respectfully submitted,

Laura Embree
Recording Secretary