



CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES

REGULAR ADJOURNED MEETING
October 24, 2016

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, Sahagun and Vodvarka, Assistant Director of Housing/Planning Manager Caldwell, City Planner/Planning Manager Diaz, and City Attorney Robbins

Excused: Associate Planner Gutiérrez

MINUTES

The minutes from the September 26, 2016 meeting were presented for approval. Vice Chair Flores moved, Commissioner Vodvarka seconded, and the minutes were approved 4-0 (Commissioner Martinez arrived at 7:03 p.m., after the motion to approve the minutes).

ORAL AND WRITTEN COMMUNICATIONS

None.

AGENDA ITEMS

a. PUBLIC HEARING - CASE NUMBER 2015-25

Project Address: 4910 Holt Boulevard
Project Applicant: Maronix, Inc.
Project Planner: Silvia Gutiérrez , Associate Planner
Request: Conditional Use Permit to allow the re-establishment and construction of a gas station, convenience store and attached car wash tunnel and a Precise Plan of Design for the site design
CEQA Assessment: Categorically Exempt (Section 15332)

City Planner Diaz reviewed the staff report.

Commissioner Martinez asked several clarifying questions regarding the location of the pumps and the new building. City Planner Diaz clarified that the pumps will be on the west side, closer to Monte Vista Avenue, and the planter is basically staying the same because they cannot really do much excavating around it without impacting the underground tanks. The tankers will load the underground tanks and everything to the east is open for development. Commissioner Martinez asked what is now located where the new store will be. City Planner Diaz replied that he thought it was just parking lot area. Commissioner Martinez stated there was a good reason for his questions and because that gas station gets very busy and has competitive pricing, there is a lot of traffic and this new design will help with the flow of traffic during these times and he was curious if they picked up more in and out space by moving the proposed new store over to the east a little bit. City Planner Diaz replied the entire structure, including the car wash, is pushed over as far as it can be and still meet the required setback of ten feet. They are adding two pumps so it is going from six to eight pumps so that might improve some of the efficiency and flow of people getting in and out of there.

Commissioner Vodvarka asked if they are going to continue pumping gas while this is going on. City Planner Diaz stated probably not because they will have to take the whole site down.

Vice Chair Flores asked about a metal fence referenced on page a-2, near the bottom of the page, which states they are going to construct a 7-foot tall metal fence along the northeasterly property line. On the north, there is already a 7-foot block wall and on the east property line, there is a 4-foot fence from the north property line to the corner of the existing building. What fencing is going to be there. City Planner Diaz replied it is correct that there is an existing block wall that goes across the north side of the site, but when it turns, there's nothing, it is just a grade separation and a little barrier to keep cars from going over. The area is going to be secured up to the building so it discourages cross-traffic across the backs of the properties and the kinds of things that happen at the back of buildings. It will be a decorative metal fence, not a chain link fence and will come down where it hits the building and may or may not continue down, but it is basically for the back end of the property. Vice Chair Flores stated the reason he is questioning it is because he has frequented it for many, many moons, but the people that would go to the gas station, would come over on the vacant part and walk across to a video rental store and people were going back and forth all day. He thought the video store was gone so that should eliminate the problem, but there is a center there and people will still try to walk across there. City Planner Diaz commented he felt once this is built, it will take away all the shortcuts so they will have to go around the property and come from the front into this center.

Commissioner Sahagun asked about ingress and egress and whether they would block off some of the existing curbs. City Planner Diaz stated that a number of the curb cuts on the tight corner will be eliminated and one will be moved closer to the center of the site so there will be one bigger and better drive point entry on Holt Boulevard and then the other one will be moved to the north end of the site

so there is an easier way to get in and out off of Monte Vista. Commissioner Sahagun stated that the reason he asked is because many of the gas stations, especially older ones, have very small openings. City Planner Diaz stated that this will be a lot cleaner and easier to see where you are going and to get out of the property. Commissioner Sahagun stated he knew they would not be moving the tanks, but was is the life of the tanks because he knew we get into a different problem and he has been around a while and does not remember those tanks being replaced. City Planner Diaz deferred to the applicant.

Chair Johnson opened the public hearing.

Someone representing the owner was unsure about the age of the tanks, but they do a lot of work for ARCO and other ones and they would have said to them, it is time to replace the tanks. So, most likely, the existing tanks are double-walled tanks already and, if they need to be replaced for whatever reason, they are in the perfect location where they can easily be removed and reinstalled. City Planner Diaz stated the Fire Department also reviewed the staff report and we did not hear anything from them. Without the tanks, the cost estimate for this project is approximately 2.8 million dollars; this is the kind of money the owner is going to spend. He was lucky enough to leave the tanks where they were, without affecting the layout of the site. So, every little penny makes a big deal because this is not a corporate store, this is a family-owned business. One of the conditions, Condition No. 63, talks about the undergrounding of the utilities and his point was that the City built a school across the street and his concern was that why is he now being punished because he wants to beautify the corner when the City had the opportunity to underground those two power poles. Instead, they just put a wire from across the street to his side of the property and what makes it more costly is he will have to go across the street in order to underground that cable plus it talks about undergrounding power poles in front of his property, two of them, but you cannot just underground those two, you will have to go to the third because it states that guide wires are not acceptable. Therefore, he will have to go all the way to the third power pole. We're talking a tremendous amount of money. He just wanted to make the Commission understand that the City is not doing this to someone who has huge accounts at the bank, it is someone who is just trying to make it and he is with the architecture and engineer and he is afraid he is going to say that he has another proposal from another contractor and it does not work. Commissioner Sahagun stated that the school across the street is regulated and under the jurisdiction of the State, they override the City, school districts do that. They do not have any inspections with the City; so we did not allow them, they come in and do what they want. He asked what the words "in lieu" of mean. City Planner Diaz stated that the owner would work with the City Engineer to find if you qualify for the payment of the in lieu fee, in lieu of doing the work on the street. The condition you are referring to is a standard condition for all new developments and sometimes some properties qualify for the in lieu payment instead of the actual work but you would have to work with the City Engineer to work through that process. Commissioner Sahagun stated that if the Commission does, in fact, approve the project, you will then have time to work out details with the City and see if it will pencil out. City Planner Diaz stated that the condition gives you that option as an alternative.

Commissioner Sahagun stated in the past, because of the kids going to the high school, he knew the owner had been very community oriented by having car washes for all the different organizations and the neighborhood liked that.

Chair Johnson commented that every time she goes to a car wash, her husband asks her where she had the car washed because they scratched the car and she wanted to know about what the bristles were made of. He replied they are plastic.

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

Commissioner Martinez moved and Commissioner Sahagun seconded that, based upon evidence submitted, the project is deemed exempt from the requirements of the California Environmental Quality Act (CEQA). The project qualifies as a Class 32 exemption under Section 15332 of the State CEQA Guidelines in that the project is consistent with the applicable policies of the General Plan, the development policies and criteria of the "Commercial" zone per the Holt Boulevard Specific Plan, is less than five acres in size, has utilities present in the area to serve the development, and is similar to other existing commercial developments and uses in the vicinity. As such, there is no substantial evidence the project will pose a potential significant impact to the environment, there being no opposition to the motion, the motion passed 5-0.

Vice Chair Flores moved to approve and Commissioner Vodvarka seconded the Conditional Use Permit and Precise Plan of Design request for the site plan, floor plan, elevations, colors, materials, conceptual landscape plan, and use of a request to demolish an existing gas station canopy and ancillary building to construct a new 4,390 square-foot canopy over an eight gas pump gas station, with a new 5,600 square-foot building to accommodate a convenience store without alcohol sales, a food use, and an automated, drive-thru express car wash tunnel at the northeast corner of Holt Boulevard and Monte Vista Avenue, in the "Commercial" zone district per HBSP, by adopting Resolution No. 16-1873, there being no opposition to the motion, the motion passed 5-0.

b. PUBLIC HEARING - CASE NUMBER 2016-20

Project Address: NEC of Ramona Avenue and Dale Street
Project Applicant: Successor Agency to the City of Montclair Redevelopment Agency
Project Planner: Michael Diaz, City Planner
Request: Precise Plan of Design for a proposed industrial/warehouse building and site improvements and a Variance to reduce the side setback
CEQA Assessment: Categorically Exempt (Section 15332 and 15305(a))

City Planner Diaz reviewed the staff report.

Commissioner Sahagun commented that he saw seven loading docks on the site plan and asked if that meant 18-wheeler trucks would be delivering there. City Planner Diaz stated the street works fine as far as being able to accommodate truck traffic, wide width streets and access to the back of the property will be pretty easy to get in and out of that back area. The truth of the matter is that the Code requires a lot of parking so that area that is out there is probably not going to be used that much because there probably won't be that many employees the way things operate these days, but there will be ample room to internally move trucks in and out. There is not a lot of traffic on those streets in that area but they are wide enough to accommodate any of the trucks that might be coming and going from this site. It is built as an industrial warehouse building so he did not know exactly what will be there. They have been talking to some potential buyers that might be doing distributing, warehousing or a combination of both. It should be more than adequate to accommodate an industrial use.

Bill Fox, the applicant, 450 E. Foothill Boulevard, Pomona, California 91767, offered to answer any questions the Commission may have regarding the development. He wanted to add to the question from Commissioner Sahagun regarding the trucking, they are actually working with City Planner Diaz right now because they have pre-sold the building to a user that is going to be storing auto glass (windshields and windows) and they actually want to reduce the number of truck doors down to five so that will reduce the number of trucking. The site is adequate to be able to turn trucks around on the site and meets all the development standards, but their plan is to actually reduce that to five and reduce the number of truck traffic as well. He wants to make sure the landscaping and retention basins do work and look good and match the building so City Planner Diaz has been working with their landscape architect and building architect to make sure that is done and he will have a product the City is proud of and a new user will be bringing jobs from Ontario, they will be closing down two smaller operations there and looking forward to adding more jobs and they're right down the street on State Street. Right now their goal is to have the building finished in time in August or September and they want to move in right away and they can add to their jobs and consolidate under one roof. They have a very good, solid business and they are in two smaller buildings and want to get into one.

Chair Johnson opened the public hearing.

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

Commissioner Vodvarka moved and Commissioner Sahagun seconded that, based upon evidence submitted, the Planning Commission finds the current application for the proposed industrial/warehouse building and related street side setback variance are categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 and 15305(a) of the State CEQA Guidelines, which covers infill projects in significantly developed areas and minor alterations to land use limits - variance requests. The proposed development of the subject site is consistent with the applicable policies of the General Plan, and zoning designation of the site, is less than five acres in area, has utilities

present in the area to serve the development, and is similar to other existing industrial and commercial developments and uses in the vicinity. Moreover, the setback variance requested is limited in scope and does not create new parcels, affect land use, or increase density, there being no opposition to the motion, the motion passed 5-0.

Vice Chair Flores moved to approve and Commissioner Martinez seconded a Variance request under Case No. 2016-20 to allow a 10-foot street side setback distance rather than the required 25-foot setback along the west side of the subject site for the proposed industrial/warehouse building on the 2.65-acres site at the northeast corner of Ramona Avenue and Dale Street, per submitted plans and as described in the staff report, subject to the findings and conditions in Planning Commission Resolution No. 16-1874, there being no opposition to the motion, the motion passed 5-0.

Chair Johnson moved to approve and Vice Chair Flores seconded the Precise Plan of Design request for the site plan, elevations, conceptual landscape plan, colors and materials associated with the proposed 55,520 square-foot industrial/warehouse building and associated site development improvements on the 2.65-acres site at the northeast corner of Ramona Avenue and Dale Street, per the submitted plans and as described in the staff report, subject to conditions of approval contained in Planning Commission Resolution No. 16-1874, there being no opposition to the motion, the motion passed 5-0.

INFORMATION ITEMS

City Planner Diaz updated the Commission on the scoping meeting that was held with regard to the Notice of Preparation in anticipation of doing a supplemental Environmental Impact Report for the North Montclair Downtown Specific Plan update and expansion. The meeting was attended by eight individuals from the public and staff was there, including Commissioner Martinez, and was a good meeting, everyone seemed supportive. They did have questions regarding privacy, parking, coyotes, and transitional uses or adaptive re-uses for some of the buildings that might not quite get to the ideal yet, but in the meantime they can do something and density questions about how it is dispersed. It lasted about 70 minutes and everyone seemed to be positive about the proposal overall. November 1st is the end of the 30 day public notice for the initial study and then there will be continuing work on the supplemental Environmental Impact Report and that will be re-released to the public for another 45 days and staff anticipates bringing the proposal to the Commission just after the new year and to then to City Council to get this thing done.

City Attorney Robbins stated at the November 7th Council meeting, there will be a workshop prior to the meeting at 5:45 p.m. and it is a presentation on the Brown Act and she will be hosting it and it is her understanding that the Commission is invited to that as well as the members of the CAC. It is not specifically the required AB1234 training which also includes ethics and such; it is more of an abbreviated Brown Act refresher course. City Planner Diaz added that she promises it to be exciting too. City Attorney Robbins finished with that she will make the Brown Act as the Brown Act can be made.

Commissioner Sahagun express concern about the south part of the City, specifically Holt Boulevard, maybe we should start working on Holt Boulevard and looking at residential development. As he drives through other cities, he saw a lot of high-density use, like apartments and he felt maybe we should consider something like that for Holt Boulevard and the south part of the City. If we get it right, the two- and three-story high-density housing can work. Parking is the biggest challenge with that, but you can go to Orange County, Los Angeles, and there are a lot of beautiful buildings. City Planner Diaz replied that the City is aware that there may be opportunities to do some things different along Holt Boulevard, but because it is under the current jurisdiction of the Holt Boulevard Specific Plan and we would have to work through amending that, but on the horizon, not too distant in the future, we are anticipating that, hopefully next year, the General Plan update, which means a brand new General Plan for our community for the next 20+ years and we will be looking at things like that, Holt Boulevard and other areas where density or some of the residential might make sense now and it's on the radar to study so staff will make sure they do so as we move forward.

Commissioner Vodvarka had a complaint in his neighborhood. There is a house at 10160 Columbine that has forever been nothing but weeds, he just lives in the house and does not maintain anything. Weeds in the front yard are at least three feet high and it looks bad for the whole neighborhood.

Vice Chair Flores asked about two corner houses, opposite sides of the street, in his neighborhood, one that it has been over three years since the kids were cooking drugs and it blew the place up and then his next door neighbor, he was unsure how their fire happened, but there are break-ins every night, he has to keep calling the Police, but by the time they get there, there is no one there and it is disheartening when our corner houses, which used to be an honor to own a corner house, and now it's taking already three years to repair. City Planner Diaz replied that the one that was involved with cooking drugs is in plan check and he will pass along his concerns about the other house.

Commissioner Martinez stated he knew there is a tunnel that runs north to south under the tracks and he asked whether that tunnel will connect or is there a timeframe when it is going to connect to the area near Pep Boys. City Planner Diaz stated the plan does envision a connection so that you can get from the south side of the tracks to the north side of the tracks in order to get to points north. That is in the plans. It was originally envisioned to be when the final big projects are done to connect, but it looks like if the Gold Line comes here, it will be moved towards the front.

Commissioner Martinez asked regarding the properties over by the Harley Davidson on Central. There are lots that seem specifically targeted for zoning changes. Are there some sort of prospective developments or developers looking at what is going on there? City Planner Diaz replied that no, that is one of the areas that is being added to the boundaries, including that area. The idea was so that we could square off the area, that section of the City, so that it would be planned for in the future. The plan that is being worked on now envisions a layout of what that area could look like, but the idea is to give a vision of the future and until such time as when the property values or get the right developer that comes

in, buys the properties and then can develop at the higher densities or the different kind of land uses, then that is what we would want to point them to. Until that happens, the discussion is that we will deal with existing uses and they would be considered transitional uses that could continue to operate until such time when something brand new can be done there.

Chair Johnson adjourned the meeting at 7:57 p.m.

Respectfully submitted,



Laura Embree
Planning Commission Secretary