



CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES
REGULAR ADJOURNED MEETING
September 13, 2021

VIA ZOOM VIRTUAL MEETING PLATFORM AND IN-PERSON MEETING
OF THE PLANNING COMMISSION

CALL TO ORDER

Chair Martinez called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Chair Martinez led those virtually present in the salute to the flag.

ROLL CALL

Present: Chair Martinez, Vice Chair Sanchez, Commissioners Sahagun and Patel, Community Development Director Diaz, Associate Planner Gutierrez, and City Attorney Robbins.

Absent: Commissioner Eaton

MINUTES

None.

ORAL AND WRITTEN COMMUNICATIONS

None.

Director Diaz introduced a new staff member, Monica Heredia, City Engineer/Director of Public Works. Ms. Heredia stated she was excited to be a part of the Montclair team, sees

many exciting, new things going on in Montclair, she is a Cal Poly Pomona graduate with a Civil Engineering degree and has been doing public service/in public works for over 30 years.

Mr. Diaz commented that Ms. Heredia comes to us from the City of Pico Rivera. Chair Martinez welcomed her and commented he looked forward to working with her.

AGENDA ITEMS

- a. PUBLIC HEARING – CASE NUMBER 2021-27
- | | |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Project Address: | 5180-5200 Holt Boulevard |
| Project Applicant: | Hijazi Properties, LLC and N & H Motors, Inc. for Westcoast Auto |
| Project Planner: | Silvia Gutierrez |
| Request: | Conditional Use Permit to allow a 14-foot tall electronic message center (EMC) and a modification to an existing monument sign |

Associate Planner Gutierrez reviewed the staff report.

Vice Chair Sanchez asked if the sign would be utilized 24 hours per day, meaning advertising 24 hours per day. Associate Planner Gutierrez replied there is no restriction on times of day, it will be promoting Westcoast Auto vehicles throughout the day and the electrodes in the EMC display have the capacity to minimize to address ambient lighting. For example, it will not create an excessive glare and was one of the considerations that staff reviewed when the ordinance was drafted, not wanting to create a negative impact. Therefore, the sophistication of the technology is that it adjusts based on ambient light, adjusting to daylight and night. Director Diaz added that the actual ordinance does not restrict the hours of operation for freeway-oriented signs but for non-freeway-oriented signs like this one, it is up to the Planning Commission to make the determination about hours, but paying particular attention to its proximity to other sensitive uses like houses nearby. Those type of conditions do not exist here so it is up to the Commission to determine if there are concerns about the hours, most dealerships turn them off during the late hours and then resume in the morning. That hourly limit is up to the Planning Commission on a case-by-case basis.

Commissioner Sahagun commented that because there are no homes nearby and it is a commercial zone, he felt they should be able to operate the sign 24 hours per day.

Commissioner Patel asked if they could advertise for anyone else beside their own business, or is it restricted. Director Diaz stated they are not allowed to do off-site signage, that is a general prohibition for all signs in the City, it applies even to the mall, so they can advertise their own products and services and they can do community service kinds of advertising. For example, there was a lot of Covid information during the pandemic. Condition No. 5 covers that they are still subject to all the conditions of the Municipal Code anyway. Therefore, if at such time that changes, then they would not be able to do it.

Commissioner Patel asked since this is the first EMC not located near the freeway, he asked about the hours because this will surely be the first of many EMC's to come and once it goes up other businesses will look at it and want something similar. So, for the long term, the Commission should think about timelines, the way things are changing in terms of housing needs, there may be an area where the proximity of the business or what the state mandates for us is different and we should think about it because once we approve this, it will be difficult to rescind at a later time. Director Diaz commented that the ability to have an EMC sign is also subject to some standards related to the property size, etc., so it is not automatic that every business can have one, they have to go through the CUP process, which gives more discretion to the Commission and staff to discuss how those particular signs might impact a site can, or if they qualify. There are distance and lot size requirements; it is still kind of an expensive process to go through so not everyone is going to be able to do that. For the time being, staff thinks it will take care of itself and this being the first one, there are probably not a lot of other businesses that might benefit from being able to do this.

Commissioner Sahagun stated he remembered when the Commission passed the ordinance and he recalled that it was somewhat restrictive, only main corridors, lot size, etc. Director Diaz replied that his comment was correct, adding that even the freeway-oriented signs had to have certain number of acres. For example, the mall has 104 acres and easily qualified the same for Giant RV. The limits were to arterials, so Holt, Mission, Central and Monte Vista had some properties that qualified and it was not for every street and every business.

Commissioner Sahagun commented that Commissioner Patel brought up a good point that there is no existing residential right now, but with all the zones and going upwards and high density, things could change tomorrow for the property across the street or next door.

Chair Martinez opened the public hearing.

Chair Martinez asked if they planned to operate the sign 24 hours per day.

Drew Solome of Eagle Signs stated that the State of California has Title 24 energy compliance requirements that covers sign lighting and EMCs, specifically, and with the technology dimming, the sign has to have the ability to dim up to 65% by Code because when the first billboards came out, they were very bright and almost blinding at night.

Associate Planner Gutierrez stated a guest via the Zoom platform asked to speak; his name is Irving and is the one, who actually designed the sign, but something was not working with his mute or unmute selections through Zoom and his call dropped from the meeting. Mr. Hijazi, owner of Westcoast Auto commented that another added benefit of this sign is that he could advertise community events for the City, information for Covid, no charge. They would be more than delighted to work with the City hand in hand.

Commissioner Sahagun asked Mr. Hijazi if he owned the property; Mr. Hijazi replied that he owned the entire property. Commissioner Sahagun stated he has seen Westcoast Auto there for a long time, unlike other dealerships that have come and gone. Mr. Hijazi commented that there were six dealerships coming and going every six months, but with hard work, resilience,

consistency, persistence, dreams and passion, they were able to accomplish success. The brand is known throughout the states for high-end luxury cars and is an established brand. They have won Dealer of the Year for California, six years in a row, from Dealer Rater and have 5-star customers. Many customers fly in from different states, northern California, Las Vegas, Sacramento, Texas and Florida and because of their reputation and certain kinds of cars they have, some rare, people are enthusiasts and fly in just to buy from them. Chair Martinez thanked Mr. Hijazi for the public service offer.

Commissioner Patel asked Associate Planner Gutierrez to display Sign C. Commissioner Patel stated we have experienced all of this in terms of when we leave a driveway, a private property, or we turn right or left on public streets. In looking at the picture of Sign C, imagine a driver there and right behind the sign you can see a little car creeping up and if you look at the sign, the sign is placed right behind the sidewalk. If you look at the cross-section of Sign C, it seems to be placed two feet behind the sidewalk. Here is a chance for us to look at the sign and the sign could be moved back based on some studies that actually places the sign at the right location so the driver creeps forward on the street. We all know that Holt Boulevard is a fast street, 40+ miles per hour; he thought the Commission should look at both signs and have the applicant have it engineered with regard to where it is placed so we do not have any issues with regard to cars or drivers creeping forward. He suggested adding a condition that requires a sight line study.

Mr. Hijazi stated he has been there since 2003 and they have not had any accidents there that hit their property as a blind spot. In addition, they decided to keep the sign in the same place thinking it might be easier for the City to consider because it already exists and no issues and all the wiring is already at that position. If they have to change it, it may increase the cost significantly and they may have to cut through the asphalt to make new wiring and another setback. He has already talked to contractors about the wiring and they would have to cut through the asphalt and it would increase the cost significantly preventing them from moving forward with the project.

Public Works Director Heredia recommended the applicant do a sight-line analysis signed by a traffic engineer and reviewed and approved by the City Engineer and she believed there was a condition requiring the plans to also be approved by the City as well.

Commissioner Sahagun thanked Commissioner Patel for his engineering point of view.

Hearing no other requests to comment, Chair Martinez closed the public hearing

Vice Chair Sanchez moved, Commissioner Patel seconded, that based on the evidence submitted, a finding is made that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) to Sections 15303 new small freestanding structures and 15303(b) of State CEQA Guidelines, replacement or reconstruction of an existing monument sign where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure

replaced, **there being no opposition to the motion, the motion passed 4-0-1. The motion carried by the following vote:**

Aye: Chair Martinez, Vice Chair Sanchez, Commissioner Sahagun, and Commissioner Patel;

Noe: None

Absent: Commissioner Eaton.

Commissioner Patel moved, Commissioner Sahagun seconded, to approve Conditional Use Permit under Case No. 2021-27 allowing the construction of the 14-foot tall identification sign and EMC at the subject site; based on the findings contained in the staff report and subject to the conditions of approval contained in Resolution No. 21-1952, adding Condition No. 25 to require a sight line study to be performed by a traffic engineer, **there being no opposition to the motion, the motion passed 4-0-1. The motion carried by the following vote:**

Aye: Chair Martinez, Vice chair Sanchez, Commissioners Sahagun and Patel

Noe: None

Absent: Commissioner Eaton

The Commission thanked Westcoast Auto for being here and being a good neighbor and congratulated them on their new sign.

INFORMATION ITEMS

Director Diaz commented that Associate Planner Yvonne Nemeth has left the City for employment with the County of San Bernardino, her last day was September 2 and we wish her well in her new endeavors!

Director Diaz stated staff is happy to have Director of Public Works/City Engineer Monica Heredia on board, we are already keeping her busy and brought her to her first meeting and she will be around to assist the Planning Department.

Director Diaz stated that we would be opening up a recruitment for a new Assistant Planner to help the Planning Department.

Commissioner Sanchez commented it was good to see everyone.

Commissioner Sahagun welcomed the new Public Works Director/City Engineer Heredia.

Commissioner Sahagun welcomed back Administrative Secretary Laura Embree who was off from work on medical leave for a while but is now back to work full time.

Commissioner Sahagun commented that the Joint General Plan Update meeting between the Planning Commission and City Council was cancelled due to scheduling, but they are supposed to let the Commissioners know when it is rescheduled. He felt it would have been good to have a meeting because we have not had many meetings. Director Diaz replied that it is always a challenge to schedule 10 people for a meeting.

Commissioner Patel said he was looking forward to the meeting as well because the General Plan is a big document for the City in terms of planning and he looked forward to being part of

the process and thinks when the consultant makes the presentation to the Commission and City Council, we will hear what they have to tell us and make our own decisions as we move forward in the process, but really it is a tool for long-term planning with tools put in place that looks to the future of our City, what can we preserve, what can we grow, add-on, especially with the change in technology that is occurring along with the last year where things are changing due to Covid. Many of the things that may work now may not work in the next 10 years and he is looking forward to being part of the process. Given the chance and opportunity, he looks forward to the meeting because he does feel he will have many questions for them. In addition, it is an education process for all of us.

Commissioner Patel welcomed the Public Works Director/City Engineer to the City and commented he looked forward to working with her.

Chair Martinez concluded the meeting in honor of long-time City Council Member Leonard Paulitz, who passed away recently; he was a Planning Commissioner prior to being a Council Member and he wore many hats for the City. He was certainly one of the first who did so much in this community by being a part of the planning, which was integral to his make-up. He personally embraced and welcomed Chair Martinez to the Montclair family and grew to be a very dear friend. The legacy he left behind, we probably walk right by it and do not realize it.

Respectfully submitted,



Laura Embree
Recording Secretary

Approved 01-10-22