### PLANNING COMMISSION REGULAR MEETING MINUTES

Tuesday, April 6, 2021 – 7 p.m.

Meeting Conducted Via Zoom and Video Recording is Archived on the City Website https://www.ci.claremont.ca.us/government/city-council/watch-city-council-meetings

### **CALL TO ORDER**

Chair Jones called the meeting to order at 7:05 p.m.

## **ROLL CALL**

PRESENT

COMMISSIONER:

EMERSON, FRIESON, JOHNSON-HALL,

JONES, RAHMIM, REED

LATE ARRIVAL

COMMISSIONER:

JACKSON

ABSENT

COMMISSIONER: FRIESON

ALSO PRESENT

Brad Johnson, Community Development Director; Eric Norris,

Contract Planner, Nancy Krahn, Senior Administrative Assistant,

and Natalie Reagan, Administrative Assistant

# **CEREMONIAL MATTERS, PRESENTATIONS, AND ANNOUNCEMENTS** - None

#### PUBLIC COMMENT

Chair Jones invited public comment.

# Commissioner Jackson arrived to the meeting at 7:10 p.m.

Thomas Bleakney spoke in support of electric vehicle charging stations for multi-family housing. He asked that the Planning Commission consider with new projects that are being proposed for new construction that conduit be installed as part of the construction so that renters or condo owners can install the wiring of hooking up an outlet near their parking to their meter.

Marisa Prasse spoke of her strong support for the City and Commission to amend its ADU ordinance to allow for more than one JADU and ADU per lot. Ms. Prasse stated this would be a great way to add affordability and housing options throughout the City and desegregating our community by race and income.

There were no other requests to speak and public comment was closed.

#### **CONSENT CALENDAR**

Chair Jones invited public comment on the Consent Calendar. Seeing no one wishing to speak, public comment was closed.

## 1. PLANNING COMMISSION MEETING MINUTES

Vice Chair Emerson moved to approve the Planning Commission Regular Meeting Minutes of October 6, 2020 and March 2, 2021; seconded by Commissioner Reed; and carried on a Roll Call vote as follows:

AYES: Commissioner - Emerson, Jackson, Johnson-Hall, Jones

Rahmim, Reed

NOES: Commissioner - None ABSENT: Commissioner - Frieson

#### **PUBLIC HEARING**

2. CONDITIONAL USE PERMIT #18-C04AMD, A REQUEST TO AMEND THE EXISTING CONDITIONAL USE PERMIT FOR THE SALE OF BEER AND WINE FOR ONSITE CONSUMPTION TO INCLUDE DISTILLED SPIRITS IN CONJUNCTION WITH A BONA-FIDE RESTAURANT LOCATED IN THE SYCAMORE HILLS PLAZA AT 2209 E. BASELINE RD, SUITE 700. APPLICANT – MANISH PATEL, DESI DAWGS, LLC – DOG HAUS BIERGARTEN.

Community Development Director Brad Johnson presented a PowerPoint presentation, highlighted the staff report, and answered a Commissioner's question related to a renumbering revision to the pages of the resolution.

The applicant did not have a presentation but was present to answer questions.

Chair Jones invited public comment. There were no requests to speak and public comment was closed.

Commissioner Rahmim commented that he reviewed the material and has no objections.

Vice Chair Emerson commented that he reviewed the material. In reference to Findings #4. The applicant, and subsequent successors in interest, shall continue to offer meal and/or snack menu service at all times alcohol is served. Failure to do so will be ground for revocation of this CUP. Vice Chair Emerson asked if it would be a violation if the patron only ordered distilled spirits.

Director Johnson answered that it means that they shall offer on their menu to the general public meals and it's not meant to be mandated to buy a meal. Vice Chair Emerson referenced Findings #5. All movable furniture (i.e. that intended to accommodate ADA usage) shall be placed in a secure area nightly. Vice Chair Emerson suggested deleting everything in parenthesis be deleted. Director Johnson agreed to Vice Chair Emerson's revision to Item #4.

Vice Chair Emerson referred to Findings #10. He suggested inserting the missing word "with" after the word "comply". He inquired who the Building Official is mentioned in Findings #15. Vice Chair Emerson asked how the Building Official establish the maximum number of patrons and staff in any establishment.

Director Johnson stated the City's Building Official is a position within the Community Development Department in the Building Division. He stated that they utilize a combination of the building code and fire code and depending on how the use is categorized in those codes, the square footage that's available for dining area will dictate that number.

Commissioner Johnson-Hall commented that she read the material and did not have any additional comments.

Commissioner Jackson commented he is in favor of the item and stated there are other establishments selling hard liquor and in order for this company to be competitive, it should be approved.

Commissioner Reed commented he is in favor of the conditions and findings and the item.

Chair Jones commented that she concurs with her fellow commissioners and is in favor of this item.

Vice Chair Emerson moved to adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLAREMONT APPROVING CONDITIONAL USE PERMIT #18-C04AMD, A REQUEST TO AMEND THE EXISTING CONDITIONAL USE PERMIT FOR THE SALE OF BEER AND WINE FOR ONSITE CONSUMPTION TO INCLUDE DISTILLED SPIRITS IN CONJUNCTION WITH A BONA-FIDE RESTAURANT LOCATED IN THE SYCAMORE HILLS PLAZA AT 2209 E. BASELINE ROAD, SUITE 700. APPLICANT — MANISH PATEL, DESI DAWGS LLC — DOGHAUS BIERGARTEN with the following revisions:

- In Findings #5., delete (i.e. that intended to accommodate ADA usage)
- In Findings #10., inserting the missing word "with" after the word "comply".

The motion was seconded by Commissioner Jackson; and carried on a Roll Call vote as follows:

AYES: Commissioner - Emerson, Jackson, Johnson-Hall, Jones

Rahmim, Reed

NOES: Commissioner - None ABSENT: Commissioner - Frieson

#### **ADMINISTRATIVE ITEMS**

3. PRELIMINARY REVIEW OF A PROPOSED RESIDENTIAL DEVELOPMENT ON THE FORMER LA PUERTA SCHOOL SITE, EAST OF THE EXISTING LA PUERTA SPORTS PARK (FILE #20-GPA01 AND #20-ZC01).

Chair Jones commented that tonight's meeting is not a public hearing and that the Planning Commission is not being asked to approve or to make a formal recommendation on any aspect of the proposed project.

Director Johnson provided a brief introduction on this item.

Contract Planner Eric Norris provided a PowerPoint presentation and highlighted the staff report on the project and on the process.

Applicant Eric Nelson, Trumark Homes, provided a PowerPoint presentation on the project.

The Planning Commission recessed at 8:45 p.m. The Planning Commission reconvened at 8:50 p.m.

Chair Jones stated that since this is an informational and administrative item, in order to get to as many people as possible and so that the Commission has enough time to provide some additional feedback after we have heard all of the comments, each person will be limited to speak for three minutes.

Chair Jones opened the public hearing and invited public comment.

Monique H. Ott, Housing Claremont Representative spoke in support of the development project, recommends an increase in below the moderate-income ADUs, and stated the plan doesn't address affordability.

<u>Lauren Mitchell</u> spoke in support of keeping the land as public space dedicated to children and keeping the parks as they are; the school site needs some work; and she is opposed to the plan.

<u>Marisa Prasse</u> supports much higher density, more affordability; three- and fourstory development with two story on the frontages of existing homes; and encourages deed restricted affordability at moderate and low income levels.

<u>Lisa Prasse</u> spoke in support of increasing the density and a mix of densities; two- and three-story units; include the subdivision map; test for soil

contamination; look at the risk of flooding from the MWD pipeline that runs through Thompson Creek Trail cut off; storm water to meet the MS4 requirements; encourages a traffic study and improvements at Padua Park over Cahuilla Park.

<u>Bill Buehler</u> stated that the lot sizes are not appropriate for the neighborhood and is concerned about the increase of traffic flow. He supports increasing the size of the sports park overall.

<u>Eric Johnson</u> spoke in opposition of relocating the field and the proposal doesn't fit the character of the neighborhood.

### Commission Reed left the meeting at 9:10 p.m.

<u>Tomas Morales</u> spoke in support of parks, is opposed to breaking the 99-year lease; and stated the proposed plan doesn't fit the neighborhood.

<u>Andrew Winnick, Representing Inclusive Claremont</u> spoke in support of more multifamily housing, adequate and affordable housing for all ages, and reported on the State of California changing its guidelines.

<u>Janiye Payne</u> is concerned about an increase in crowds, traffic, and does not support of the project.

<u>Matthew McKenna</u> spoke in support of remaining in public use or used as low-income housing. He suggested a nonprofit could provide a community center with education related to natural landscaping for children.

<u>Kendall Bronk</u> stated that the proposal does not support the General Plan that all new construction must be in keeping with the existing scale and architectural style of the existing neighborhood. She opposes the proposed six lots per acre and breaking the 99 year lease.

<u>lan Standley</u> stated he is opposed to the following: breaking the 99-year lease; including the Specific Plan; rezoning for private development; does not fit within the existing area; tripling the density of housing; increased traffic; and forced evacuations due to wildfires.

<u>Cara Zaruba Butler</u> stated she is opposed to the following: the plan doesn't support the General Plan for this neighborhood; increased traffic and parking issues; breaking the 99-year lease; approving the Specific Plan; and taking away open space. She supports La Puerta Sports Park to be zoned for public use.

Rick spoke in opposition of the proposed development.

<u>Curtis and Colleen Sanden</u> spoke in opposition to this development as the site is unsuitable for low-income housing, lack of public transportation, schools, and

retail stores nearby. She spoke in support of future expansion of the soccer and softball fields.

<u>Sharon Williams</u> stated that this area should encompass the current aesthetics of the surrounding homes and neighborhood, all zones should remain public, the proposed development does not fit the neighborhood, and is concerned about the increase of traffic.

<u>Daniel Moreno</u> spoke in opposition of the development as it will not fit the property; hazards with increased traffic; and breaking the lease.

<u>Annie Lloyd</u> spoke in opposition of destroying two parks. She suggested developing the softball fields where the former golf course was located.

<u>Mireya</u> spoke in support of additional housing. She is opposed to breaking the 99-year lease and destroying two parks.

Walter spoke in opposition of this plan, breaking the 99-year lease, rezoning La Puerta for private development, proposed fast pitch baseball diamond at Cahuilla Park.

<u>Carlos</u> spoke in opposition to rezoning this park for housing and breaking the 99-year lease. He asks the City Council to vote against this and keep our public land public as opposed to private.

<u>Rita & Zi</u> spoke in opposition of this plan, breaking the 99-year lease, concerned about increased pollution, traffic, and crime.

<u>KF</u> spoke in opposition of breaking the lease, a Specific Plan, and destroying two parks. She commented that Trumark said they viewed this as a community asset but it's been to the exclusion of most of the community.

Mrs. M. spoke in opposition of this development, breaking the 99 year lease, the Specific Plan, and increased traffic.

<u>Steve Marroquin</u> stated he strongly opposes rezoning the area from public to residential, breaking the lease, and the Specific Plan. He is concerned about increased traffic and lack of field space.

<u>Stephen Goldwater</u> is opposed to reducing park space, changes to the park, two story houses, and the area is inappropriate for low-income housing. He is concerned about water run-off, views will be blocked, and increased traffic.

<u>Steve</u> spoke in support of the housing development. He encouraged a social use studies be done of the La Puerta Sports Park to address the future of access density.

<u>R. Zimmerman</u> spoke in opposition of this development, breaking the lease, reducing the size of the park, and the project is far too dense for the neighborhood. He encouraged the developer to work within the land that's there without encroaching into the park.

<u>Wanda Garcia</u> spoke in support of the building but not three story and high density. She spoke in opposition of taking the park away, breaking the 99 year lease. She supports development to Padua Park but not Cahuilla Park.

<u>Helaine Goldwater</u> spoke in opposition of this development as it doesn't fit in with the area, ruining Cahuilla Park's open space; breaking the 99 year lease, parking issues, destroying trees, and increased traffic. She spoke in support of affordable housing and housing that makes sense with the existing neighborhood.

<u>Vanessa R.</u> requested that the City Council vote against breaking the 99 year lease, do not approve the specific plan, keep La Puerta zoned for public, concerned about the number of houses to be developed and with the increase of traffic.

Anonymous stated that her name is Maura Carter. She encourages the City Council to not vote on breaking the lease, keep the Sports Park zoned public, and do not adopt the specific plan. She is concerned about the land closing escrow in December 2021. She stated we have a lot of land available on the RHNA map to meet those requirements.

Russ Binder asked if the development will cause the property values to disproportionately accelerate, lag, fall or have no effect.

<u>Joe Pacheco</u> stated that he opposes this project 100 percent, it doesn't fit the neighborhood, opposes breaking the 99 year lease, concerned about an increase in traffic.

<u>Lauren McKenna</u> stated she is concerned about the inclusiveness and ADA accessibility of ADUs and the general development plans, reducing the park acreage, affordability, the school site should continue to be used in service to children and the community, and this is an opportunity to partner with a local nonprofit.

<u>Sue Keith</u> suggested fewer homes and putting a ground level ADU on each home and making some of those a handicapped accessible. To assure affordability, she suggested if family members are living on the property than the ADU is free and if the ADU was to be rented in the future it would be rented under market value.

<u>Helene Klein</u> stated that the plan doesn't fit the area, is opposed to breaking the lease, and increased traffic.

<u>Maribel</u> stated she is opposed to the housing development and breaking the 99 year lease.

<u>Mike Baldy</u> spoke on the available land in the City. He is concerned about lowering property values and the placement of low income apartments. He stated that with the influx of people coming into California, we are not building enough houses to cover the influx, it is a national issue and not Claremont's problem to solve it. He is vehemently against this proposal.

<u>Heather Schourup</u> stated she is in favor of a development going into this lot but at a lower density. She is concerned about where children will play without backyards, there's no open space or parks proposed within the development, overflow parking, and increased traffic.

<u>Claremont Resident</u> stated she is against breaking the lease, the density of the proposed plan is unreal, the traffic is already heavy, and it doesn't fit the neighborhood, reduced property values, opposed to closing the parks.

<u>Donald McDonald</u> stated he is opposed to the proposal. He supports Commissioner Jackson's recommendation that Padua Park be used as a softball park. He supports Vice Chair Emerson's comments on transportation.

<u>Caroline Sauvage</u> stated that the City should not break the lease and should not support the current plan.

<u>Mike Ramirez</u> stated that property values will go up with this new development, there is no traffic in the area. He is supportive of this development.

<u>Mike Eschleman</u> spoke against the proposal to build higher density housing, increased traffic, and keep the 99 year lease.

Rick, a Claremont Resident He stated he is well aware of, when you work with government agencies, communities and public in general there's a responsibility that developers, designers and architects have when you work with bringing a project into an area. In his opinion, with the comments made, if Trumark listens to the public comments and the City, we could have an agreement and a better project overall.

Chair Jones stated that concludes public comment.

Chair Jones reiterated that this is not a public hearing and we are not making any recommendations to anybody on this project tonight. This is the Planning Commission, we are listening to the presentations by staff, presentations by the developer, and all of the community comments.

Senior Administrative Assistant Nancy Krahn stated that there was written public comments to be read into the record.

Because of the late hour, Vice Chair Emerson moved to continue the item to a future date to be determined by staff with the purpose of hearing written public comments; seconded by Commissioner Johnson-Hall; and carried on a Roll Call vote as follows:

AYES: Commissioners - Emerson, Jackson, Johnson-Hall, Jones,

Rahmim

NOES: Commissioner - None

ABSENT: Commissioners - Frieson, Reed

#### REPORTS

#### Commission

#### **Commissioner Comments**

Commissioner Jackson asked staff when we get to the Housing Element, will we have a revision of the Housing Element in the Master Plan for the years 2021 to 2025

Director Johnson stated it will be a plan through 2029; however, we're on a four year timeframe that the State has placed us in so we will revisit it in four years.

Commissioner Johnson-Hall stated she has no comments.

Commissioner Rahmim encouraged Trumark to review Director Johnson's comments.

Vice Chair Emerson commented that he agrees with Commissioner Rahmim's comments and that it seems that Trumark doesn't seem to be taking seriously the comments that it's receiving and the City should continue to stand its ground. He stated that if Trumark is going to call these ADUs, they have to meet the City's ADU requirements and not require the City to go change the General Plan, zoning descriptions, and set up special plans just to accommodate their desire to make money.

Chair Jones reiterated for the two members of the public that have their hand raised that there is not an opportunity for more public comment and suggested they return to the meeting when it's on the agenda.

#### Staff

#### **Briefing on Council Meetings**

Director Johnson reported on items of interest from the previous City Council Meetings.

# **Briefings on Other Items**

None.

# Upcoming Agendas and Events

Director Johnson updated the Commission on what items will be coming before the Commission on future agendas.

## **ADJOURNMENT**

Chair Jones adjourned the meeting at 10:54 p.m. The next regular meeting of the Planning Commission will be held on April 20, 2021.

Chair

ATTEST:

Senior Administrative Assistant

### PLANNING COMMISSION **REGULAR MEETING MINUTES**

Tuesday, April 20, 2021 – 7 p.m.

Meeting Conducted Via Zoom and Video Recording is Archived on the City Website https://www.ci.claremont.ca.us/government/city-council/watch-city-council-meetings

#### **CALL TO ORDER**

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

### ROLL CALL

PRESENT

COMMISSIONER: EMERSON, FRIESON, JACKSON,

JOHNSON-HALL, JONES, RAHMIM

ABSENT

COMMISSIONER:

NONE

ALSO PRESENT

Brad Johnson, Community Development Director; Leticia Cardoso, Senior Planner: Andrea Heywood, Associate Planner; Eric Norris,

Contract Planner, Nancy Krahn, Senior Administrative Assistant,

and Natalie Reagan, Administrative Assistant

### CEREMONIAL MATTERS, PRESENTATIONS, AND ANNOUNCEMENTS

Community Development Director Brad Johnson announced that Commissioner Rick Reed has submitted his resignation from the Planning Commission and the City Council has accepted his resignation. Director Johnson stated we will be receiving applications and doing interviews for that replacement.

#### PUBLIC COMMENT

Chair Jones invited public comment. There were no requests to speak and no written public comment.

#### **CONSENT CALENDAR** - None

#### ADMINISTRATIVE ITEM

1. CONTINUED PRELIMINARY REVIEW OF A PROPOSED RESIDENTIAL DEVELOPMENT ON THE FORMER LA PUERTA SCHOOL SITE, EAST OF THE EXISTING LA PUERTA SPORTS PARK (FILE #20-GPA01 AND #20-ZC01)

Chair Jones stated this item is not a public hearing and the Commission is not being asked to approve or make any formal recommendations on any aspect of the proposed project. She stated that public hearings on the project will occur later in the process after the preparation and circulation of the project's draft environmental

impact report. She commented that there have been many written communications since the last meeting. Chair Jones thanked the public for their comments and stated that, while we will not be taking new oral or written communications at this meeting, there will be many additional opportunities to voice your opinion on this project. This is a continued administrative item that is designed as a workshop for the Commission, the oral comment period portion of the meeting was completed, and the remaining two phases of the meeting will include the reading of the written public comment submitted prior to the April 6 deadline and Commission discussion on the proposed project. She also stated that the Architectural Commission will also discuss this item in a workshop type format tentatively scheduled for their first or second regularly scheduled meeting in May. For the overall project schedule, please go to the City's website where there is information on this project.

The following written public comments were read into the record: Manuel Anaya, John Moylan, Donald Moyer, Joel Carnes, Carole Fisher Soregenfrei, Brenda Craigmyle, Ruti Abrashkin, Paul and Janet Hodges, Majid Tayyarah, Bob Gerecke, Brian Wiesner, Lori Flynn, Cathy and Don Edberg, Jeffrey Marshall, Carol Curtis, Anonymous, Muriel Marroquin, Geoff Hamill, Nikki Smith, Dr. Lash Keith Vance and Ninetta Papadomichelaki, Mark Ouellette, Ben and Carolyn Keim, Daniel Petro, Lynne Lundquist, Amy Marczewski Carnes, Angelica Baltazar and David Totman, Joyce Sauter, and Jennifer Rachford.

Commissioner Frieson commented that he shares a lot of the same concerns with the respondents. He stated his concerns are related to how this fits in with the overall character of the neighborhood and with the general intent of the City of Claremont to maintain its character; moving the softball fields to Cahuilla Park as that would result in losing one of the diamonds being used by the freshman baseball team; and echoed Commissioner Jackson's concern from the previous meeting about why the sports park on Padua was not being considered.

Vice Chair Emerson commented that he echoed Commissioner Frieson's concerns on how this fits in with the overall character of the neighborhood. He stated that in the future, he hopes staff would be reluctant to allow proposals to get through with developments that require changing zoning, changing the general plan, and creating a specific plan. He stated that he read all public comments received before and after 3:00 p.m. on April 6.

Commissioner Johnson-Hall commented that she disagrees with Vice Chair Emerson and Commissioner Frieson. She stated that she attended two general housing element meetings and there's not enough housing being built to meet the needs of people that live in the state of California. She stated that complete communities include housing, public spaces, and an affordable housing element. She stated there is no room for the current design and that creating an ADU is not a means of developing affordable housing. She suggested avoiding disrupting Cahuilla Park. Commissioner Johnson-Hall encouraged staff to have a conversation with the School District as the City was not included in conversations between the School District and the developer. She encouraged staff to do something that will bring

additional equity to folks who don't have an opportunity to live here and to do something beautiful and inclusive.

Commissioner Jackson commented that he is concerned about the lease with the City and if it's going to stay in effect until 2078. He stated that if the soccer and softball fields are moved to Padua Park it will need a larger parking lot. Commissioner Jackson is concerned about the Thompson Creek Trail on the north side being utilized as the houses face out and believes that could be a very attractive area for people to use the trail, and that the elevations on the west side are similar to elevations on the east side. He commented he's in favor of single-family homes along the south side of the park; an increase in ADUs; tandem garages; and encouraged affordable housing such as a fourplexes, sixplexes, or eightplexes near the Thompson Creek Trail.

Commissioner Rahmim commented that he echoed many of the comments made by the other commissioners. He stated that he read all of the public comments and many of the points that were made were good. He stated that the developers should have paid closer attention to some of the key comments in the letter from Director Johnson. Commissioner Rahmim stated that one of the things driving the density of this project is the valuation of the land. He stated that if he remembered correctly, in the proposal, the land is valued at \$17 million. He stated that he could be incorrect but it was valued at a particular number. He inquired about how they arrived at that sales price.

Chair Jones commented that she agrees with Commissioner Johnson-Hall and stated that this piece of land is a great opportunity for us to do something that's so needed in Claremont. She stated that affordable housing means it's a more dense development. She stated that we need to continue to be creative and come up with some better solutions and preserve as much open space as possible. Chair Jones echoed Commissioner Ramim's comments that the developer really hasn't adequately addressed all of the various points from Director Johnson back to them and stated that they really need to address those because those really do deal with a lot of the comments from the public. Chair Jones also thanked the public for their attention to this development.

Director Johnson responded to Commissioners' comments. He addressed Commissioner Rahmim's comment about the \$17 million. He stated that the fact sheet shows that in 2019, that escrow was entered between the School District and this developer at a little over \$13 million. He recalls they may have gone back for a one time extension and it may have changed to \$14 million. He stated that the \$13 million to \$14 million number is the number. He stated that City staff is not aware of the outcome of those negotiations. He agreed with the Commissioners that the developer should have paid more attention to our letter and responded to the bullet points in the staff report. Director Johnson stated that staff appreciates the Commissioner's comments and will take those comments back to the developer and hopefully to the School District.

#### **PUBLIC HEARING**

## VARIANCE (FILE #21-V01), REQUEST TO ALLOW A 6-FOOT-TALL CONCRETE BLOCK WALL IN THE STREET-SIDE SETBACK AT 580 BLACK HILLS DRIVE. APPLICANT – DANIEL GOMEZ

Associate Planner Andrea Heywood presented a PowerPoint presentation, highlighted the staff report, and answered Commissioner's questions related to a) fence material; b) wall work at 508 Black Hills Dr. & Mills Ave.; c) consideration of 6-foot high walls on the property line; d) elevation plan; e) and previous wooden fence shown on Google.

Applicant Dan & Jacqueline Gomez presented a PowerPoint presentation and answered Commissioner's questions related to a) the reason for pulling a permit for three feet and building a six foot fence without permission from the City; b) the timeline of building the fence; c) the previous wooden fence shown on Google; d) door to the garage; e) the location of bedroom windows on Denver Ave.; f) feedback from the neighbors.

Chair Jones opened the public hearing and invited public comment.

There were no requests to speak and there were no written public comments.

Director Johnson clarified statements that were made in relation to the photos that were shown in the applicant's presentation and stated that the City allows measurement from the high side and the City grants minor variances which was offered to the applicant.

Director Johnson answered questions from the Commission related to a) the original wood fence at the 10-foot setback line and the block wall on the property line; and b) if there is a process that the applicant could have gone through before building the wall.

Commissioner Rahmim commented that the applicants could have chosen to replace the six-foot wooden fence or gone with the three feet further forward as the permit allowed and adhering to the zoning rules. Every one of the justifications would have been met except one and that is the having a 600 to 700 square foot larger side yard. He stated that he doesn't see how we can approve.

Commissioner Frieson commented that he echoed Commissioner Rahmim comments. He stated that he has concerns about the application of the requirements for wall height.

Commissioner Jackson commented that the applicant had a six-foot wood fence and could have put up the block wall in the same place. He stated that he believes the applicant tried to take advantage of getting more backyard space. He stated he agrees with the City and will deny the request.

Commissioner Johnson-Hall commented that she believes Mr. and Mrs. Gomez were concerned about safety, folks breaching their property, and wanting to increase the enjoyment of their existing property. She also believes that they ignored the staff's recommendation and did their own thing. She stated that she will vote to support staff's recommendation.

Chair Jones commented that not all of the findings can be made to approve the variance request, the project is exempt from CEQA, there is not any special circumstances that apply to this property that would allow us to make the various findings, and to allow this variance gives them special privilege which would set an unwanted precedent. There was a process that they could have been followed instead of building without permission and then asking for forgiveness. They could have asked for permission. She stated that she is in agreement with her fellow Commissioners.

Commissioner Jackson moved to deny A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLAREMONT DENYING VARIANCE REQUEST #21-V01 TO ALLOW A 6-FOOT-TALL CONCRETE BLOCK WALL IN STREET-SIDE SETBACK AT 580 BLACK HILLS DRIVE. APPLICANT – DANIEL GOMEZ; seconded by Commissioner Rahmim; and carried on a roll call vote as follows:

Vice Chair Emerson stated he appreciates the excellent job of landscaping. He stated that believes the applicant tried to make the best use of the property and didn't take advantage of the opportunity to appeal before proceeding to violate the terms of the permit. He stated he'll have to go along with the recommendation to deny the variance request. He suggested to staff to make a stronger issue to applicants encouraging them to appeal to the Planning Commission before the start of construction.

#### Chair Jones called for a roll call vote:

AYES: Commissioners - Emerson, Frieson, Jackson, Jones, Johnson-Hall,

Rahmim

NOES: Commissioner - None ABSENT: Commissioner - None

3. TENTATIVE PARCEL MAP #82157 (FILE #20TPM02) TO SPLIT A LOT INTO TWO PARCELS AND VARIANCE (FILE #20-V01) TO ALLOW A REDUCED LOT DEPTH FOR PARCEL 1 AT THE PROPERTY LOCATED AT 1490 NORTH CLAREMONT BOULEVARD AND 1495 ANDREW DRIVE. APPLICANT – SEA-TEK LLC.

Senior Planner Leticia Cardoso presented a PowerPoint presentation, highlighted the staff report, and answered Commissioner's questions related to a) the office building as a buffer between the residential homes on the west of Claremont Blvd. and the storage unit that was being built off of Andrew Dr.; b) the benefit of the 200 footsteps requirement; and c) the shared block wall between parcel one and parcel two.

<u>Applicant, Mr. Abrams – Sea-Tek LLC.</u>, answered a Commissioner's question related to the reasoning behind doing this project now.

Chair Jones opened the public hearing and invited public comment.

<u>Paul Wheeler</u>, stated that he was not the architect on this project, but he has done about a million square feet of mini storages around. Mixed uses are a bit of a problem with two distinctively different uses on the same parcel. He stated that for the benefit of the businesses and the project he supports the division of the land.

There were no other requests to speak. There was no written public comment.

Senior Planner Cardoso made a correction to one of the conditions of approval in Section 3. 4., b., xii. replacing "issuing any permits" with "approval of the final map".

Commissioner Johnson-Hall stated she had no comments.

Commissioner Rahmim stated he had no comments.

Commissioner Frieson stated he had no comments or objections to this request.

Commissioner Jackson complimented the owners on the condition of the property. He stated that he believes the applicant is a benefit to the residents of Claremont in the way they kept up their office space, the parking lot is clean, did a magnificent job in building the office building, and they did the City and the neighbors a favor. He stated that he is highly in favor of splitting this to help them with their financing.

Vice Chair Emerson commented that he echoed Commissioner Jackson's comment on the office building and it seems to fit in well with the rest of the neighborhood. He stated that he has no issues or questions with the resolution.

Chair Jones thanked Senior Planner Cardoso for her great research and explanation on CEQA. She stated that she is in agreement with the findings and in favor of this request.

Vice Chair Emerson moved to adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLAREMONT, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP #82157, VARIANCE #20-V01, AND AN EXCEPTION TO THE REQUIRED 10-FOOT-WIDE REAR YARD SETBACK ON PARCEL 2 AT THE PROPERTY LOCATED AT 1490 NORTH CLAREMONT BOULEVARD AND 1495 ANDREW DRIVE. APPLICANT — SEA-TEK, LLC; seconded by Commission Frieson; and carried on a roll call vote as follows:

Vice Chair Emerson amended the motion changing Section 3. 4., b., xii to change the sentence to read "The monument preservation certification addressing boundaries of the Project shall be provided to the Engineering division prior to approval of the final map.

The amendment was seconded by Commissioner Frieson and carried on a roll call vote as follows:

AYES: Commissioners - Emerson, Frieson, Jackson, Jones, Johnson-Hall,

Rahmim

NOES: Commissioner - None ABSENT: Commissioner - None

### **REPORTS**

#### Commission

### **Commissioner Comments**

Vice Chair Emerson reported receiving a communication from K. Flynn concerning a request for letters to the Planning Commission to be placed on the public record in which the person states, it appears that two hands were raised, referencing the April 6 meeting, but were told they were not allowed to comment. Vice Chair Emerson stated that it is an incorrect statement as the two hands that were raised were given three opportunities but they for some reason could not unmute themselves to make a presentation.

#### **Staff**

## Briefing on Council Meetings

Director Johnson reported on items of interest from the previous City Council Meetings.

# Briefings on Other Items

Director Johnson did not have other items to report on.

# Upcoming Agendas and Events

Director Johnson updated the Commission on what items will be coming before the Commission on future agendas.

## **ADJOURNMENT**

Chair Jones adjourned the meeting at 10:20 p.m. The next regular meeting of the Planning Commission will be held on May 4, 2021.

Chair

ATTEST:

Senior Administrative Assistant