



CITY OF MONTCLAIR  
PLANNING COMMISSION MINUTES  
REGULAR ADJOURNED MEETING  
Monday, July 14, 2008

CITY COUNCIL CHAMBERS  
5111 Benito Street, Montclair, California 91763

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**CALL TO ORDER**

Chairman Flores called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

Vice Chairman Vodvarka led those present in the salute to the flag.

**ROLL CALL**

Present: Chairman Flores, Vice Chairman Vodvarka, Commissioners Johnson, Lenhart, and Sahagun, Community Development Director Lustro, City Planner Diaz, Associate Planners Frazier-Burton and Lai, and City Attorney Robbins.

**MINUTES**

The minutes of the June 23, 2008 meeting were presented for approval. Commissioner Lenhart moved, Commissioner Johnson seconded, there being no opposition to the motion, the minutes were approved 5-0.

**ORAL AND WRITTEN COMMUNICATIONS**

None.

## AGENDA ITEMS

### 6.a PUBLIC HEARING - CASE NUMBER 2008-16

Project Address: 4250 Holt Boulevard  
Project Applicant: Burntfish, Inc.  
Project Planner: Mike Diaz, City Planner  
Request: Conditional Use Permit to allow the operation of a truck rental business

City Planner Diaz reviewed the staff report.

Commissioner Sahagun asked what size trucks would be located at the site. City Planner Diaz understood the trucks to be commercial vehicles of varying sizes, mostly for local moving purposes.

Commissioner Johnson asked about the occasional sales described in the staff report. She was unsure what that meant and asked for clarification. City Planner Diaz replied that, per the applicant, on occasion, vehicles at the end of their service life for the corporation will be auctioned or sold to members of the public who might want to purchase the truck for their own benefit. Staff does not know what the total number might be, but this CUP is not intended to permit a sales lot, it is intended to be a rental facility.

Chairman Flores inquired whether anyone within the 300-foot radius contacted staff. City Planner Diaz replied that he received no comments from the members of the public.

Chairman Flores wanted to make sure the items listed under condition number 8.e get done.

Chairman Flores opened the public hearing for comments. There being no members of the public wishing to speak, Chairman Flores closed the public hearing and returned the item to the Commission.

Vice Chairman Vodvarka moved that based on the evidence presented, there will be no significant impact on the environment as a result of the proposed truck rental business at the subject site. The Planning Commission has reviewed the Planning Department's determination of exemption, and based on its own independent judgment, concurs in the staff's determination of exemption, Commissioner Sahagun seconded, there being no opposition to the motion, the motion passed 5-0.

Commissioner Johnson moved to grant the Conditional Use Permit request to allow a truck rental business as described in the staff report, at 4250 Holt Boulevard, Unit B, by adopting Resolution No. 08-1676, subject to making the four required findings and the 19 conditions of approval, seconded by Commissioner Lenhart, there being no opposition to the motion, the motion passed 5-0.

6.b PUBLIC HEARING - CASE NUMBER 2008-15

Project Address: 4480 Holt Boulevard  
Project Applicant: 4480 Holt Boulevard Montclair, LLC  
Project Planner: Mike Diaz, City Planner  
Request: Conditional Use Permit and Precise Plan of Design to construct a 49,000 square-foot commercial center with two drive-thru lanes for future use

City Planner Diaz reviewed the staff report. He stated this is a request for a Conditional Use Permit and Precise Plan of Design for a development of a new commercial retail center at the northwest corner of Holt Boulevard and Ramona Avenue. City Planner Diaz reviewed color boards for the proposed development. The center will be approximately 49,000 square feet in size and includes one major tenant, in-line stores and three satellite buildings, two of which will be designed with drive-thru lanes for tenants that occupy the whole building or portions for either a food use or some kind of service use that utilizes a drive-thru facility. Staff feels the project has been well designed and makes the best use of that property, which right now is a lot of weeds. The applicant intends to bring some national tenants to benefit the households in the area by providing them some local accessibility to those uses. The project provides a few extra parking spaces in excess of that required for the uses. One of the conditions of approval requires future uses that utilize a drive-thru to have their own conditional use permit so that staff could assess their parking needs, signage, speakers, etc. The applicants have worked with staff and staff recommends approval, subject to the conditions.

Commissioner Lenhart asked about the property at the corner of Bandera and Ramona and whether it would remain as is. City Planner Diaz replied that there is a project approved for that site and hopefully that will be completed soon.

Commissioner Johnson asked for clarification under recommendation B; it states that there are 60 conditions but she only saw 57. City Planner Diaz apologized for the inaccuracy and explained that the staff report originally had 60 conditions and then was reorganized and cut down to 57.

Chairman Flores commented that there were no spot elevations or contours on the map and he asked where the drainage would be going. City Planner Diaz answered that generally the topography flows toward the south. City Planner stated that while we do not have a conceptual drainage plan, it will be something they work out with the City Engineer. Chairman Flores stated that normally it would be included for the Commission's review. He always worries about where the water is draining. City Planner Diaz stated that the project also requires the approval of a Water Quality Management Plan with underground areas for water drainage.

Commissioner Vodvarka asked if any of the landscaping would be irrigated by reclaimed water. City Planner Diaz asked if he meant "purple pipe" system.

Commissioner Vodvarka confirmed. City Planner Diaz indicated probably not. Director Lustro added that reclaimed water is currently not available in that area.

Chairman Flores opened the public hearing.

Hezi Kashanian, 606 E. 8<sup>th</sup> Street, Unit 301, Los Angeles, CA 90014, thanked the Commission for the opportunity to be in the city. He was looking forward to Montclair seeing a great project and said that the City would be happy with the results. He stated that he was available for any questions.

Commissioner Sahagun asked whether Mr. Kashanian was an architect, engineer or an owner. Mr. Kashanian stated he was one of the property owners.

Brian Weber, 606 E. 8<sup>th</sup> Street, Los Angeles, CA 90014, Universal Property Investments, LLC, stated they are the developers of the project and he wanted to take the opportunity to thank staff, Steve Lustro, Mike Diaz and the Planning Division for their hard work and very diligent review of the design submitted and they looked forward to creating a signature project in the community that everyone will be proud of and will be a commercial success. They reviewed in great detail the conditions recommended for the project and had one minor concern regarding condition number 13. They supported the rationale behind entering into a reciprocal access easement agreement with the adjoining property owner on the corner and understand the logic for doing that to create better on-site circulation and for cross-pollination of customers. Their only concern is that they cannot perform that condition on their own. They have to have another party join them in that condition and they are prepared to make a good faith effort to make that happen. Again, they cannot guarantee it will happen. Their recommendation would be that the condition authorize staff to work with them and the adjoining property owner and, in the event that the reciprocal easement cannot be worked out, staff can waive that condition.

Commissioner Sahagun commented that he liked that and asked how we can word it so staff can do that.

Director Lustro stated that Mr. Weber brought up a valid point with regard to condition 13. Staff has no problem working with the applicant on that particular condition. The goal is to allow reciprocal vehicular access between the properties and to eliminate traffic movements into the street. The project is designed such that the driveway does exist on the plans so that issue is not a question, but the owner of the property at Bandera and Ramona also came to the Commission not too long ago for renovation of their center, which is currently underway. A similar condition was placed on that project to allow reciprocal access to the property to the south, which is the subject property. The goal is that the access will potentially benefit both properties and both projects. Staff is willing to work with the applicant and will also be in contact with the applicant immediately adjacent to make sure that this happens and that it benefits both projects. If we run into any problems down the road, staff does not want that to hold up development of this project.

Young Park, 10410 Ramona Avenue, Montclair, a representative of the property owner at the southwest corner of Bandera and Ramona, was also concerned about the ingress/egress access through his client's property. The first concern was the timeframe. When his client processed the CUP, it was conditioned to prepare a reciprocal agreement for ingress/egress for the property to the south. His architect contacted Mr. Weber last February or March to process a reciprocal agreement to establish the ingress/egress even though this is not a benefit for them, but it is a condition for the project. He stated that they did not seem interested in completing the agreement. The problem is the timeframe. The exterior job of his client's project is about 70% done and the interior is about 40% done. He would expect to be completed in the next six months, but their project is just starting so he does not want his project to be held up because the reciprocal agreement is not completed. His second concern was if this developer is going to build the block walls along the property to the south and to the east over his client's property so that it is going to be completely blocked.

Chairman Flores stated that a meeting between staff and the two owners would take care of the issues. City Planner Diaz commented that staff would be glad to do whatever it can to help get this issue resolved. He also stated that a requirement/condition the applicant will have to submit a wall plan so that staff can review not only the location but the appearances of walls and the plan indicates that there is a wall along the south side that would separate the properties on the rear side of the building. There are plans for walls to help address the neighbor's concerns.

Commissioner Sahagun commented that he believed that one of Mr. Park's concerns was if a part of the wall was going to be built on this applicant's property. City Planner Diaz stated that they can either work out placement on their common line or if they cannot, the wall will be totally on Mr. Kashanian's property. Commissioner Sahagun commented that we need to keep the reciprocal access. It is something that we need to move forward with on all our projects. Director Lustro suggested that once the Commission is finished with this item, maybe all parties concerned and present can have a chat in the lobby rather than trying to reach each other at a future date. Commissioner Sahagun indicated his support for City policy that we have been following for years on commercial properties and that the purpose of reciprocal access is to facilitate vehicular circulation amongst the commercial properties, avoid unsafe movements out into the street when they are not necessary and to avoid street traffic when you don't need to. If you want to shop on one property and want to go to the other property to buy something else, if you can eliminate a movement out into the street that could potentially become a traffic hazard then we want to be able to do that. He felt there was an opportunity at the meeting and if they don't speak after the meeting, then they can make arrangements to speak in the future.

Commissioner Johnson asked if condition 25.c.ii was a placeholder. City Planner Diaz stated that it was an unfinished condition regarding the placement of the wall along the back of the project facing Bandera Street. Staff recommended that 25 c ii be eliminated since it was already addressed in another condition elsewhere.

Commissioner Sahagun commented he wanted staff to be working on using drought tolerant plants. He also commented that the Commission did not have a grading plan, but he would like to make sure that the ingress and egress to this project be plenty wide to get in and out with using a larger vehicle and not jumping curbs. He also asked that the landscape finger islands be made shorter. Director Lustro commented that staff has been addressing the length of landscape finger islands during the plan check process.

Chairman Flores closed the public hearing.

Commissioner Johnson moved 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 State CEQA Guidelines Section 15332, which covers infill projects in significantly developed areas. Because the project is consistent with the applicable policies of the General Plan, the zoning requirements of the Holt Boulevard Specific Plan, is less than 5 acres in size, and is substantially surrounded by urban uses, the construction and operation of the proposed commercial center will not result in any significant effects related to traffic, noise, air or water quality, and there will be no significant impact on the environment. The Planning Commission has reviewed the Planning Department's determination of exemption and based on its own independent judgment, concurs with staff's determination of exemption. A DeMinimis finding of no impact on fish and wildlife will be prepared, seconded by Commissioner Lenhert, there being no opposition, the motion passed 5-0.

Commissioner Lenhert moved to approve a Conditional Use Permit under Case No. 2008-15 to allow a maximum of two (2) drive-thru lanes within the proposed retail commercial center on 4.34 acres of land at the northwest corner of Holt Boulevard and Ramona Avenue by adopting Resolution No. 08-1677, making the four findings and subject to the 57 conditions of approval, deleting condition number 25.c.ii, seconded by Vice Chairman Vodvarka, there being no opposition to the motion, the motion passed 5-0.

Commissioner Sahagun moved to approve a Precise Plan of Design under Case No. 2008-15 per the submitted plans and as described in the staff report to construction a retail commercial center on 4.34 acres of property in the Commercial land use district of the Holt Boulevard Specific Plan at 4480 Holt Boulevard, subject to the 57 conditions of approval, deleting condition number 25.c.ii, seconded by Chairman Flores, there being no opposition to the motion, the motion passed 5-0.

- 6.c PUBLIC HEARING - CASE NUMBER 2007-21 'A'
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| Project Address:   | NEC Mission Boulevard & Monte Vista Avenue                           |
| Project Applicant: | KLC Properties LLC/Karl Chan   |
| Project Planner:   | Jim S. Lai, Associate Planner  |
| Request:           | Revised Tentative Tract Maps for a Business Park condominium complex |

Associate Planner Lai reviewed the staff report and stated that this request was to address building code issues in that the previously approved tentative tract maps would allow the owner to subdivide the building into multiple units for sale or lease and that raised the issue about building separation walls. The applicant decided to address the issue by resubmitting the tentative tract maps. The building placement, site plan, circulation, landscaping, and building architecture remain exactly the same. This will allow the sale of each building, along with the parking lot, landscaping, driveway and surrounding area on a per building basis rather than per unit. That is why there is a total of six lots on each tract map and a total of 12 lots altogether. With this approval, the applicant will be allowed to proceed with the building plan check and tentative subdivision map plan check. The applicant has every intention to proceed with construction of this project and that is why they decided to go this route. This will speed up the process. There will be no changes to the site plan or elevations of this project. This project involves a combination of retail commercial as well as industrial warehouses on the 5+ acres at this corner. Staff feels this will be an excellent improvement to this corner on Mission Boulevard and recommends approval.

Chairman Flores opened the public hearing.

Tien Chu, 3354 E. Colorado Boulevard, Pasadena, the architect for the project, was in attendance to represent the owner, KLC Properties, LLC. He was available for questions.

Commissioner Sahagun asked if this was just a lot line adjustment of the building. Associate Planner Lai replied that it is more than just a lot line adjustment. The previous application consisted of 34 lots and this will be 12 lots.

Vice Chairman Vodvarka asked how a future overpass would affect this property. Director Lustro responded that the Monte Vista Avenue grade separation project, which we're hoping is only about three years away, will not affect access to this property because the grade separation will start north of the fire station. This property is going to be south of where the bridge will eventually join existing grade so there won't be any access issues or any grade issues that will change on this property as a result of the grade separation project.

Chairman Flores closed the public hearing.

Vice Chairman Vodvarka moved that, based upon evidence submitted, there will be no significant impact on the environment as a result of the two tentative tract maps for condominium purposes and construction of 12 multi-tenant industrial and commercial buildings and that a DeMinimis finding of no impact on fish and wildlife and a Negative Declaration have been prepared, seconded by Commissioner Johnson, there being no opposition, the motion passed 5-0.

Commissioner Lenhart moved to recommend City Council approval of Tentative Tract Map Nos. 18717 and 18718 for a 12-lot subdivision for business park condominium

purposes on a 5.13-acre parcel in the MIP (Manufacturing Industrial Park) zoning district, subject to the 15 conditions of approval, seconded by Chairman Flores, there being no opposition to the motion, the motion passed 5-0.

6.d. PUBLIC HEARING - CASE NUMBER 2008-18

Project Address: 4161 Mission Boulevard  
Project Applicant: Steve T. Wuo/Mission Mobile Home Park  
Project Planner: Jim S. Lai, Associate Planner  
Request: Conditional Use Permit and Precise Plan of Design to add 5 new mobile home spaces and property improvements to an existing mobile home park

Associate Planner Lai reviewed the staff report stating that a condition number 31.e has been added to the recommendation and that a copy of the condition has been placed at each Commissioner's seat and at the entrance of the Council Chamber for the public.

Chairman Flores opened the public hearing.

Commissioner Sahagun asked if this park is under rent control. Associate Planner Lai replied that it is.

Commissioner Johnson commented that she was impressed with the layout because when she thought of mobile homes, she did not think of patios or yards.

Commissioner Johnson moved that, based on the evidence submitted, a finding is made that there will be no significant environmental impact as a result of the 5 space expansion of an existing mobile home park, including a DeMinimis finding of no effect on fish or wildlife, and that the project is found to categorically-exempt from CEQA under Section 15332, Class 32 for an infill development under 5 acres in an urbanized area, seconded by Commissioner Sahagun, there being no opposition, the motion passed 5-0.

Vice Chairman Vodvarka moved to approve a Conditional Use Permit (CUP) under Case No. 2008-18 for a five (5) space expansion on the northerly 123 feet of an existing mobile home park at 4161 Mission Boulevard, by adopting Resolution No. 08-1678, subject to making the required findings and subject to the 34 conditions of approval, adding condition number 31.e, seconded by Commissioner Johnson, there being no opposition, the motion passed 5-0.

Commissioner Sahagun moved to approve a Precise Plan of Design (PPD) for the site plan for mobile home sites, parking and driveway, lighting, landscape design and perimeter walls and associated improvements pertaining to the proposed mobile home park expansion, subject to the 34 conditions of approval, adding condition number 31.e, seconded by Commissioner Lenhert, there being no opposition to the motion, the motion passed 5-0.

6.e PUBLIC HEARING - CASE NUMBER 2008-21

Project Address: 4685 Huntington Drive  
Project Applicant: Hugo Mejia & Byron Lopez  
Project Planner: Jim S. Lai, Associate Planner  
Request: Variance for a reduced front yard setback in single-family residential zone

Associate Planner Lai reviewed the staff report. This variance request came about after a surveyor verification of the actual northerly property line showed the builder had a shortage of 8'-6" in the required setback. A 25-foot setback is required, even though this is a flag lot. Staff suggested some options to the current owners, Mr. Mejia and Mr. Lopez, to mitigate this issue. One would be to purchase an additional 8½ feet from the owner of the vacant property to the north, basically moving the property line 8½ feet so that the owners would meet the minimum 25-foot setback. A more drastic approach would be to take 8½ feet off the garage and build another single garage elsewhere on the property. The applicant attempted to pursue the first option with the neighboring property owner but was unsuccessful. The second option is a little bit too difficult to achieve without drastically affecting the design of the house. The photograph and surveyor information provided to the Commission will hopefully give an idea of how this happened and how much frontage there will be. The issue is how to properly address these variance issues in terms of financial and physical justification. After much consideration, staff feels that the variance funding for justifying reduction in the front yard setback would not adversely affect the adjoining properties. Even though it will be closer to the northerly property line, the property to the north of this property is a very deep parcel so any new construction of a new home would still leave sufficient separation between this building and a future residential building to the north. For the Commission's information, property notices were sent out to property owners within a 300-foot radius and we did receive a response and information from one of the property owners to the immediate west of this parcel.

Chairman Lenhart asked about the tract design and whether it was something the City inherited because there are three or four parcels that do not have access to the street. Director Lustro stated that this particular neighborhood was subdivided long before the City's incorporation and we did inherit it.

Commissioner Sahagun asked how the substandard setback was missed. Director Lustro stated that it comes down to the uniqueness of the lot. We don't have very many flag lots in the City and we certainly don't encourage them. It comes down to the property corners being improperly staked or not being staked clearly. The property itself, other than the ten foot driveway, has no street frontage. Normally when we are looking at a traditional lot, it would be easy to pick up on setback deficiencies based on locations of curb, gutter or sidewalk. Here you have a structure that is over 250 feet back from the public street. If the property corners that delineate what is the north property line are incorrectly staked there would be no way for the building inspector to determine that this deficiency existed. Staff agrees that is something that should not

have been missed, but it was. The discussion in the report with respect to the purposes of front setbacks is very accurate and in this particular case, we have a front setback that is not a typical setback because it does not really front the public street.

Commissioner Vodvarka asked if anyone knows where the property lines are for all of those lots. He felt there has to be some kind of marker.

Chairman Flores opened the public hearing.

Anthony Maricic, 8350 Archibald Ave, #200, Rancho Cucamonga, owner of the lot immediately south [*sic*] of this property. They have owned the property about 1½ years before this applicant. They had it surveyed and marked and had actually told the owner of the house that his markers were off before he poured and he relied on the information of his contractor rather than his surveyor and went ahead with the job. A previous owner had this before Mr. Mejia and it took him about 1½ years to actually get the permit. There was a set of conditions and one was that easements were to be given to the adjoining neighbors so they had access to those properties and this easement was supposed to be given prior to submission of a building permit and this easement was not granted to everybody prior to issuance of a building permit. They thought the easement was there and they were working with Mr. Mejia on this lot and they contributed to the driveway and the underground utilities; however, when they found that the easement had not been recorded, he went to talk to Mr. Lustro back in March and talked to Commissioner Sahagun about four years ago. An easement was supposed to be given to the surrounding owners and a letter of non-interference. When these were printed out, it had the easement listed as to only two of the parcels. Right now, they support the variance but against the final building permit because at that time, the City will have no constructive instructions to give to Mr. Mejia to add them to the easement because it will land lock them and the property south of them [*sic*]. The circulation element was not considered on these easements. If this particular easement had been left in there, it would actually make a U for the Fire Department to go in there because they had discussed that with the Fire Department back in 2004. At this particular stage, they have filed a lawsuit against Mr. Mejia and are giving the Commission constructive notice that if Mr. Mejia gets his final approval, then they will adjoin the City in that lawsuit for the easement because they are being landlocked by this project. Mr. Mejia doesn't want to talk to us, he just wants \$20,000. The economy is hard and he put in a driveway that must be seven inches thick and he went way over his budget. So even though we participated with him on the fences and block walls, in the end he was upside down and he wanted \$20,000. Their lot was the one that had a house on it for 40 years. Their house got torn down and they were using that driveway as a prescriptive easement for almost eight years.

Chairman Flores closed the public hearing.

Commissioner Lenhert asked whether the property had a sewer system installed. Director Lustro answered that this property is connected to a private sewer system. There is no public sewer serving the homes on the south side of Huntington Drive at the

present time. As an afterthought to the small business park that was constructed at 4600 Arrow Highway a few years ago, staff discussed the need for extending a sewer main to the properties on Huntington Drive and potential future development in that area. What staff was successful in doing was getting the developer of the business park to agree to allow the City to construct a sewer main through their parking lot, from Arrow Highway to the railroad right-of-way. That sewer main is constructed and stubs at the railroad right-of-way at the present time. There are plans that have been approved by Metrolink to jack under the tracks to extend the sewer to the north side of the tracks and then run parallel to the tracks to the east to eventually be able to serve the development on the south side of Huntington Drive. Since the sewer is not there and staff expects that is going to still be some time, this particular applicant was required to construct a private sewer system with a dry line that will eventually connect to the sewer system once it is extended to the east.

Commissioner Johnson commented that she is encouraged that Mr. Maricic is for the variance but asked City Attorney Robbins if the Commission approves this will it cause any problems with regard to the lawsuit. City Attorney Robbins responded she understood that Mr. Maricic has an issue with the applicant as to whether or not an easement exists on the pole part of the flag lot, but that is really not something that involves the City. That is a matter between the two adjacent property owners.

Commissioner Johnson moved 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), pursuant to Section 15303(a), Class 3, in that the project involves the construction of one, single-family dwelling within a completely urbanized area, seconded by Chairman Flores, there being no opposition to the motion, the motion passed 5-0.

Commissioner Sahagun moved to approve, by adopting Resolution No. 08-1679 making the four findings as presented for the variance request under Case No. 2008-21 for the reduction of a front yard setback of 16'-6" instead of the required 25'-0" associated with the recently-constructed single-family residence per the submitted plans and as described in the staff report, subject to the five conditions of approval, seconded by Vice Chairman Vodvarka, there being no opposition, the motion passed 5-0.

- 6.f PUBLIC HEARING - CASE NUMBER 2008-20
  - Project Address: 9335 Monte Vista Avenue
  - Project Applicant: Morton Gerson
  - Project Planner: Carol Frazier-Burton, Associate Planner
  - Request: Conditional Use Permit for on-sale liquor and outdoor seating area in conjunction with a bona fide restaurant

Associate Planner Frazier-Burton reviewed the staff report.

Chairman Flores opened the public hearing.

Commissioner Lenhert moved that, based on the evidence submitted, a finding is made that there will be no significant environmental impact, including a DeMinimis finding of no effect on fish or wildlife, and is Categorical Exempt, seconded by Chairman Flores, there being no opposition to the motion, the motion passed 5-0.

Vice Chairman Vodvarka moved to approve the CUP under Case No. 2008-20 for outdoor seating and the on-sale of liquor (ABC License Type 47) in conjunction with a bona fide eating establishment at 9335 Monte Vista Avenue by adopting Resolution No. 08-1680 subject to making the required findings and subject to the 19 conditions of approval, seconded by Commissioner Johnson, there being no opposition, the motion passed 5-0.

## **INFORMATION ITEMS**

Commissioner Sahagun asked whether the Commission could approve a project that would landlock another parcel. With regard to tonight's item, the properties on the map pre-date the City and we inherited them. Director Lustro answered that the neighborhood dates back about 80-90 years when that was part of what was the old Arbor Verde neighborhood, part of which was in San Bernardino County and part of which is in Claremont, and part of it is now in Upland. As Commissioner Lenhert stated, we inherited this haphazard subdivision of properties and as each one comes in, we try to work with it. We're thinking that down the road we won't have to deal with too many of these since that neighborhood is part of the North Montclair Downtown Specific Plan. This particular house that was the subject of the variance tonight got in under the wire before the Specific Plan was approved. If somebody came to us today and wanted to do a similar development on their property, whether it's landlocked or not, would likely have a hard time meeting the requirements of the Specific Plan. This may likely be the last house that is built in that neighborhood for a while under the old R-1 zoning standards, but to answer the question more directly, if someone came to us on one of those landlocked parcels, a requirement from the City would be that they show us how they are going to get access. It is not our problem and not for us to resolve that issue; they have to figure out how they are going to get access to the property. If somebody buys the property, and they do not do their research ahead of time, shame on them.

Commissioner Sahagun commented that along with the standard conditions there is a condition about the plants, the landscaping, and as we go green, he was sure that staff was looking at these other alternatives. We need to look at this for the new developments, not only the residential, but the medians and rights-of-way. Director Lustro commented that it is already our expectation of developers with regard to their landscape plan. We will want to see a landscape palette that uses less water, makes use of natives and drought tolerant material. Staff had that conversation four to five months ago with Mr. Weber when they were submitting for their project and that was one of the things passed along early on to his landscape architect. Commissioner Sahagun liked Vice Chairman Vodvarka's comment to push for using recycled water. Director Lustro commented that although there are reclaimed water lines currently being constructed around the Civic Center, that system only covers a very small amount of the

City. There will be areas of the City that will likely never be served by reclaimed water, but when it's available, staff agrees that it should be utilized. If reclaimed water is not available, we cannot reasonably force an applicant to build a line that extends a ½ mile to be able to serve their project.

Chairman Flores commented that the construction for the car wash on Palo Verde Street seemed to come to a halt. Director Lustro stated that up until last week, they only had a grading permit and they did as much as they could under the grading permit. A representative for Metro Honda was in last week and their building permit was issued.

Chairman Flores adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Laura Berke  
Recording Secretary