



CITY OF MONTCLAIR  
PLANNING COMMISSION MINUTES

REGULAR ADJOURNED MEETING  
Monday, December 9, 2013

COUNCIL CHAMBER  
5111 Benito Street, Montclair, California 91763

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**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

Commissioner Vodvarka led those present in the salute to the flag.

**ROLL CALL**

Present: Chair Johnson, Vice Chair Flores, Commissioners Martinez, Sahagun and Vodvarka, Community Development Director Lustro, City Planner Diaz, and City Attorney Robbins

Excused: Associate Planner Gutiérrez

**MINUTES**

The minutes of the November 25, 2013 regular meeting were presented for approval. Vice Chair Flores moved, Commissioner Sahagun seconded, and the minutes were approved 5-0.

## ORAL AND WRITTEN COMMUNICATIONS

None.

## AGENDA ITEMS

- a. PUBLIC HEARING – CASE NUMBER 2013-26  
Project Address: 4722 Mission Boulevard  
Project Applicant: 4722 Mission Boulevard LLC for  
The Griffith Company  
Project Planner: Michael Diaz, City Planner  
Request: Conditional Use Permit to allow a contractors'  
storage yard  
CEQA Assessment: Categorically Exempt (Section 15301)

City Planner Diaz reviewed the staff report.

Vice Chair Flores commented the site plan shows a 6,000-gallon propane tank, but the report states it will be removed. He wondered if a new tank would be replacing the old tank at the same location or is a new tank coming later at a different location. City Planner Diaz replied the 6,000-gallon tank that is there will be removed from the site and properly capped off if there are any lines in the ground. The potential for the new one has not yet been decided by the company. Its size has not been determined but it could go anywhere on the site as long as it meets Fire and Building Code requirements, so it may not go in the same spot. Vice Chair Flores asked if the applicant will need to come back to staff for approval. City Planner Diaz confirmed that the applicant will need a building permit and Fire Department clearance to do so.

Chair Johnson opened the public hearing.

Commissioner Martinez commented that staff recommended, because of the addresses on the street being out of sequence, that the address be changed to 4756 Mission Boulevard and asked the applicant if it was okay with the change. The applicant confirmed.

Armando Bautista, the environmental consultant for Griffith Company, and Jim Coury, Division Manager for Griffith Company, were present to answer questions for the applicant. Commissioner Vodvarka asked what type of security they were planning for the property. Mr. Coury replied fencing and security cameras were planned. Commissioner Vodvarka commented he felt that would be good enough as long as the cameras were in the proper location to do their job. He stated he was familiar with the Griffith Company and proud to see them coming to Montclair. Mr. Coury stated it had been a pleasure dealing with Montclair's Planning Division staff. The Griffith Company has been in business since 1902 and their contractor's state license number is 88.

Commissioner Sahagun asked Mr. Coury if he was the site manager. Mr. Coury stated that he was the Division Manager. Commissioner Sahagun commented that he was at the site earlier in the day and met a gentleman who identified himself as "Buzz" who was very secretive and did not let him enter the location. As far as the address, he was glad they were changing it and hoped the company would put up the proper signage because he could not find the site until he encountered "Buzz," who advised him to call the real estate agent to view the property.

Commissioner Sahagun asked what kind of chemicals were going to be stored in the 55-gallon drums and if anything being stored there would be hazardous. Mr. Bautista replied that a lot of the 55-gallon drums were going to be waste oil from the servicing of the trucks and cars. City Planner Diaz commented that staff barely got on the site the previous week. It's unusual and atypical but it sometimes happens; they eventually got the information needed so there is nothing secretive going on there. Commissioner Sahagun commented that Buzz did say that the City had already been there. Mr. Coury stated that since they will have an office there, the gates will be open to the public once they are open and the Commission will be welcome any time.

Sean Casey, Ashwill Associates Commercial Real Estate, said he helped the Griffith Company find the property in Montclair. They had been looking for several months and he wanted to clarify that Buzz Loyd is the current owner, he is represented by a different commercial real estate company and there were a lot of items that Griffith Company needed to do throughout escrow to get on-site and every time it was a process.

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

Commissioner Sahagun moved that, based upon evidence submitted, the project is deemed exempt from the requirements of the California Environmental Quality Act (CEQA). Further, the project qualifies as a Class 1 exemption under State CEQA Guidelines Section 15301, seconded by Vice Chair Flores, there being no opposition to the motion, the motion passed 5-0.

Commissioner Vodvarka moved to approve a Conditional Use Permit (Case No. 2013-26) to allow a contractor office and outdoor storage yard on a 3.36-acre site with existing structures at 4722 Mission Boulevard, within the Manufacturing Industrial Park (MIP) zoning, seconded by Vice Chair Flores, there being no opposition to the motion, the motion passed 5-0.

b. Bi-annual Planning Commission reorganization

Chair Johnson stated that Section 2.16.080 of the Montclair Municipal Code, the Chair and Vice Chair of the Planning Commission are elected for a two-year term and the last time the Commission reorganized was December 12, 2011.

Chair Johnson entertained nominations from the Commission for the position of Chair. Vice Chair Flores nominated Commissioner Sahagun. Commissioner Vodvarka nominated Chair Johnson. The vote was 3-2 with two votes for Commissioner Sahagun (Flores and Sahagun) for Chair and three votes for Chair Johnson (Vodvarka, Martinez, and Johnson).

Chair Johnson entertained nominations from the Commission for the position of Vice Chair. Commissioner Sahagun nominated Vice Chair Flores. Commissioner Vodvarka nominated Commissioner Sahagun. The vote was 4-1 with four votes for Vice Chair Flores (Johnson, Sahagun, Martinez and Flores) and one vote for Commissioner Sahagun (Vodvarka).

## **INFORMATION ITEMS**

Director Lustro congratulated Chair Johnson and Vice Chair Flores on the reelection to their respective positions. He reminded the Commission that the December 23, 2013 meeting was cancelled as City Hall will be closed that week. He wished the Commission a Merry Christmas and a safe new year.

City Attorney Robbins commented it was great to be back and she knew Commissioner Martinez had been appointed earlier in the year, but it was her first meeting to see him. She congratulated Chair Johnson and Vice Chair Flores for being voted in for another two-year term. She wished the Commission a Merry Christmas and a happy new year.

Commissioner Sahagun congratulated Chair Johnson and Vice Chair Flores and wished everyone safe holidays. Regarding the Paseos project, he asked about the corner building at Moreno and Monte Vista. The setback on the corner seemed very close and asked what the setback was. Director Lustro replied it was something less than ten feet. As the Commission should recall, one of the cornerstones of the North Montclair Downtown Specific Plan is to create a more urban, "on-the-street" environment and so setbacks in North Montclair are significantly different than we find in the rest of the City. City Planner Diaz stated that the building with the tower element and the immediate building to the north are garages. Commissioner Sahagun stated he knew what we're trying to achieve, but felt it was close for a living space.

City Attorney Robbins asked if the buildings were occupied because she saw lights on, etc. Director Lustro stated the only completed building is on the northeast corner of Monte Vista and Olive, which is the clubhouse. That building also contains the leasing office, meeting rooms, commercial kitchen, fitness center and yoga room. One of the swimming pools is just outside that building. The leasing is going very well with the first move-ins expected the week after Christmas. Commissioner Sahagun had hoped for an invitation because he wanted to visit. Director Lustro commented that there hasn't been any formal invites or activity for the models being open, but it's actually probably better that they haven't done that because they were intent on opening them last weekend and it did not happen. If you check the weekend before Christmas, they will probably have a couple of the models ready to be viewed.

Vice Chair Flores wished everyone happy holidays and congratulated Chair Johnson. He asked if other cities have special maintenance requirements for corner houses. In his neighborhood, three of the four corner houses have fallen into disrepair and neglect; no lawns and growth hanging all over the place. He has not had a chance to drive around the City to see if it's happening in other neighborhoods, but there is really no reason for it. He would like to see how everyone else felt and what other cities are doing. The weeds grow between the sidewalk and the curb and they spill over the curb into the gutter. He has called Public Works many times and they have been good about coming out and taking care of it, but it's not the City's problem. Chair Johnson and Commissioner Sahagun asked if he had called Code Enforcement. Vice Chair Flores replied that he has called in the past when the weeds were over the curb and you could not see the people's address on the curb and someone came out and took care of it. Director Lustro stated that Code Enforcement can write notices to correct for lack of landscaping in front yards and street side yards that are visible to the street so he encouraged the Commission to call Code Enforcement and give them the addresses; you can stay anonymous if you choose but at least let them know so they can go out and inspect it and if they have to start a case on it, they can. The worst thing you can do is to see something and think someone else will call; if everyone thinks the same thing, no one calls.

Chair Johnson passed along a Christmas card from the Montclair Fire Department that was addressed to the Commission and she wished everyone happy holidays.

Chair Johnson adjourned the meeting at 7:37 p.m.

Respectfully submitted,

Laura Embree  
Recording Secretary